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JOURNAL

Annals OF THE *Legislature*
HOUSE OF REPRESENTATIVES

AT THE
FIRST SESSION
OF THE
SIXTH GENERAL ASSEMBLY
OF THE
STATE OF TENNESSEE,

BEGAN AND HELD AT KNOXVILLE, ON MONDAY THE
SIXTEENTH DAY OF SEPTEMBER, ONE THOUSAND
EIGHT HUNDRED AND FIVE.

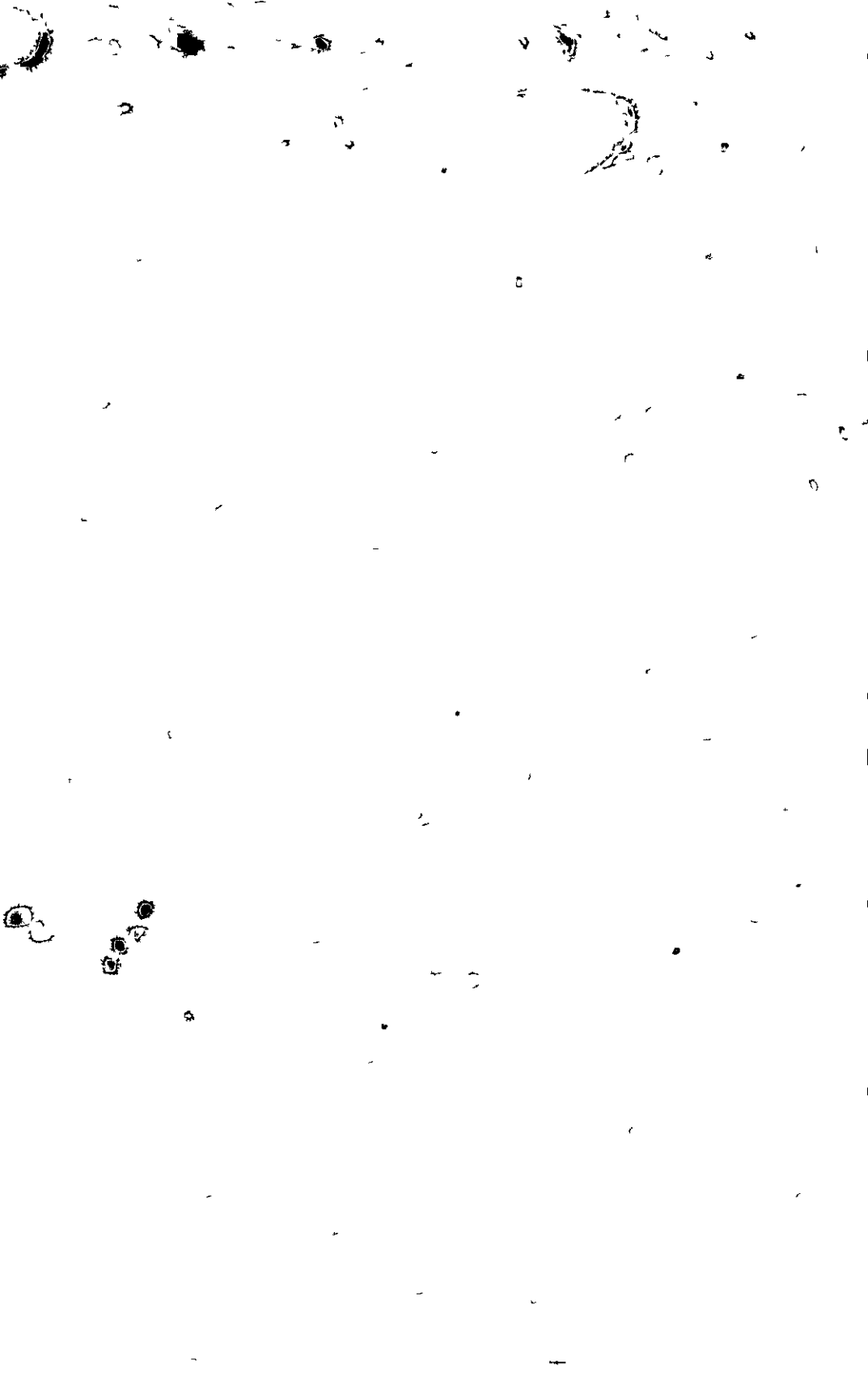
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF TENNESSEE.

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A T A Stated Session of the General Assembly of the State of Tennessee, on Monday the sixteenth day of September, 1805, the following members appeared in the Town of Knoxville, produced their credentials, were qualified and took their seats.

From Blount County, Mr. James Scott.

Carrier, Mr. Alexander Greer.

Cocke, Mr. William Lillard.

Davidson, { Mr. Robert C. Foster,
 { Mr. Nicholas T. Perkins,
 { Mr. Chapman White.

Grainger, { Mr. John Bunch,
 { Mr. James Rentfro.

Greene, { Mr. John Russell,
 { Mr. John Harmon.

Hawkins, Mr. Rhodham Kenner,

Jefferson, Mr. John Seahorn.

Knox, { Mr. Nathan B. Markland,
 { Mr. George Preston.

Montgomery, Mr. Robert Nelson.
Robertson, Mr.

Sumner, { Mr. John K. Wynne,
 { Mr. William Moore,
 { Mr. Elijah Chisholm.

Sevier, Mr. James P. H. Porter.

Sullivan, { Mr. John Scott,
 { Mr. John Tipton.

Washington, { Mr. John Kennedy,
 { Mr. Edmund Bean.

The house then proceeded to ballot for a Speaker, Mr. Greer and Mr. Nelson being appointed to superintend the balloting---Mr. Greer reported, that on counting the votes that it appeared Mr. Porter had a majority, who was conducted to the chair accordingly.

The house then proceeded to ballot for clerks, and after some time spent therein, Mr. Greer from the committee appointed to superintend the balloting, reported; that Edward Scott was unanimously elected chief clerk, and Andrew M. Luik assistant clerk.

John Rhea was then appointed door-keeper.

On motion, Messrs. Kennedy, Perkins and Porter, were appointed a committee to draw up rules for the government of the house.

Mr. Kennedy from the committee appointed to draw up rules for the government of the house, reported the following which were read, and unanimously agreed to.

1st. When the speaker is in the chair, the members shall take their seats.

2d. Every member, during the time the house is in session, shall come in with his head uncovered, and shall continue so at all times but when he sets in his seat.

3d. The speaker having taken the chair, and two thirds of the members being present, the clerk shall read the journal of the preceding day, for the purpose of correcting errors, should there be any.

4th. While the journal or other public papers are reading, or any member is speaking, there shall be no interruption, nor shall the members read any printed paper.

5th. Every member when he speaks, shall stand in

his place, address himself to the speaker or chairman, (in the case may be) who shall give his attention by naming the member.

6th. If two or more members rise to speak at the same time, the speaker shall determine who shall speak first.

7th. When any motion is before the house, and not properly understood, the speaker may explain, but not attempt to influence the house by argument.

8th. The speaker shall in all cases require those who are in favor of the passage of a bill, resolution, or motion, to say Aye, and those against it to say No; and in all cases where the speaker doubts whether the Ayes or Noes have it, he shall request those in favor of the passage of a bill, or the adoption of a resolution or motion, to shew their assent by rising.

9th. The first member named on a committee shall be chairman of the same.

10th. The speaker, with leave of the house, may speak on any subject before the arguments are closed. Any member digressing from the subject, or using any personal observations or reflections, may be called to order by the speaker, chairman, or any member of the house.

11th. All motions of a general nature shall be reduced to writing, seconded, and handed to the speaker, before the same shall be considered in possession of the house.

12th. No member shall speak more than twice to the same subject without leave of the house.

13th. No person shall pass between the person speaking and the speaker.

14th. No question shall be put on motion unless seconded.

15th. No member shall absent himself from the service of the house without leave.

16. It shall be the duty of the speaker or chairman, to call gentlemen spectators, appearing among the members when in session, by name, and desire them to withdraw to the seats assigned them.

17th. No committee shall consist of more than seven members.

On motion, Resolved, that Messrs. Russell, Tipton, Kennedy, Wyane, Markland, Greer and Lillard; be a commit-

case of privileges and elections, and the credentials of the members of this house be referred to them.

Ordered, that the following message be sent to the senate,

To the Speaker and Gentlemen of the Senate,

The house of representatives have convened, and have made choice of Robert C. Foster, esq for their speaker; they have also chosen Edward Scott chief clerk, and Andrew M. Lusk assistant, and are ready to proceed to business.

Resolved, That the following gentlemen do compose a committee of propositions and grievances on the part of this house, viz. Messrs. John Scott, Harmon, Keener, Bentfro, Estlin, Bean and Chisholm.

Ordered, that a message go to acquaint the senate, which was sent accordingly.

Resolved, That Messrs. Moore, Kennedy, Porter, Markland and Perkins, be a committee of claims on the part of the house.

Ordered, That a message go to inform the senate, which was sent accordingly.

Resolved, That a committee of finance be appointed, and that it consist of Messrs. Kennedy, Russell, Porter, Perkins, Markland and Wynne.

Ordered, That a message go to inform the senate, which was sent accordingly.

Mr. Russell introduced the following resolution:

Resolved, That the Secretary of State be directed to lay before the house the several laws of the United States, and of individual States, for the use of the members during the session.

The said resolution being read, was adopted.

Received from the senate the following message:

To the Speaker and Gentlemen of the House of Representatives,

The senate have also convened and are ready to proceed to business; they have chosen Mr. Joseph M. Brown as speaker, John N. Gamble chief Clerk, Luke Lea assistant, and John Bright door-keeper.

Resolved, That a committee be appointed to wait on his excellency the governor, and inform him that the legisla-

have convened, and are ready to receive any communications he may think proper to make; and that said committee do consist of Messrs. Kennedy and Harmon.

Ordered, That a message go to inform the senate, which was sent accordingly.

The house then adjourned until to-morrow morning 9 o'clock.

T U E S D A Y, September 17th, 1805.

The house met according to adjournment.

Mr. Lillard returned the tax list of Cocke county for the years 1804 and 1805, which was referred to the committee of finance, and sent to the senate.

Mr. Porter returned the tax list of Sevier county for the year 1804, which was referred as above, and sent to the senate.

Mr. Russell from the committee of privileges and elections made the following report, which was read and concurred with:

Your committee have, according to order, had under consideration the credentials of the members returned to serve at the present general assembly, and beg leave to report, That upon examination they find all the members who have appeared to be duly and constitutionally elected.

Mr. Russell returned the tax list of Greene county for the years 1804 and 1805, which was referred to the committee of finance, and sent to the senate.

Mr. Kennedy introduced a bill to compel the clerks of the courts of equity, clerks of the superior courts of law, clerks of the different county courts, and registers of the different counties in this state, to keep their offices at the respective places of holding their courts, which was read the first time, passed and sent to the senate.

Mr. Tipton presented a petition from sundry inhabitants of Sullivan county, praying that the public offices for said county may be kept at the place of holding court, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Received from the senate the following message, which was read and concurred with:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose that a committee be appointed to contract with a suitable person for printing the journals daily, and that said committee be authorized to receive proposals for printing the laws of the present session : they have nominated Messrs. Gals, Wilkinson and Murray on their part, to act with such gentlemen as you may name.

Ordered, That the following message be sent to the senate :

Mr. Speaker and Gentlemen of the Senate,

The house of representatives concur with you in appointing a committee for the purpose of contracting with a suitable person for printing the journals daily, and likewise for printing the laws of the present session, and have named on our part Messrs. Russell, Lillard, Bunch, Kenner, Porter, Wynne and Kennedy.

Received from the senate the following message, which was read and concurred with :

Mr. Speaker, and Gentlemen of the House of Representatives,

The senate propose appointing a committee to examine engrossed bills, and have named on their part Mr. Jack, to act with such gentlemen as you may appoint.

Ordered, That the following message be sent to the senate :

Mr. Speaker and Gentlemen of the Senate,

The house of representatives concur with you in appointing a committee to examine engrossed bills, and have named Messrs. Seahorn and Preston for that purpose.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with you in appointing a committee of propositions and grievances, and have named on their part Messrs. Taylor, Murray and Houston ; on the committee of claims, have named Messrs. Gals and Stewart ; on the committee of finance, have named Messrs. Gals, Houston and Williams, to act with the gentlemen by you appointed.

Received from the senate the following message :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with you in appointing a committee to wait on his excellency the governor, and inform him that they are ready to receive any communications he may think proper to make, and have named Mr. Gals for that purpose.

Received from the senate the following message, which was read and concurred with :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose that both houses meet in the representatives' chamber to-morrow, between the hours of ten and one, to count out the votes for governor and representatives to congress.

Ordered, That the following message be sent to the senate :

Mr. Speaker and Gentlemen of the Senate,

The house of representatives concur with you in your proposition for meeting in their chamber to-morrow between the hours of ten and one, for the purpose of counting the votes for governor and representatives to congress.

Received from the senate the following lists of taxable property, which were read and referred to the committee of finance, to wit :

The tax list of Sumner county for the years 1804 & 1805.

The tax list of Dickson county for the year 1804.

The tax list of Stewart county for the year 1804.

The tax list of Montgomery county for the years 1804 and 1805.

Also, the register's account of Sumner county, up to the year 1805.

The petition of John Henderson was presented by Mr. Russell, praying that William Miller may be his adopted son, which was read and referred to a select committee, consisting of Messrs. Russell, Lillard and Greer.

Sundry returns of tax lists were presented by Mr. Perkins, which were referred to the committee of finance, and sent to the senate.

Mr. Kennedy introduced a bill, supplementary to an act entitled, "an act prohibiting any state's attorney or solicitor of a county from preferring a bill of indictment to any grand jury, without a prolocutor marked thereon," which was read the first time, passed, and sent to the senate.

Received from the senate the petition of sundry inhabitants of Claiborne county, praying the interference of the legislature relative to the obstruction of the navigation of Powell's river, which was read and referred to the committee of propositions and grievances. Also, one other petition from the inhabitants of said county, praying that the elections for said county may in future be held at the courthouse of said county. Also, the petition of Nicholas Perkins Hardeman, praying that he may not be compelled to attend musters, &c. he being compelled to attend to his duty in another capacity at all times, under a penalty prescribed by law. Also, the petition of sundry inhabitants of Wilson county, praying to be annexed to the county of Rutherford, which were severally read and referred as above.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, September 13th, 1805.

The house met according to adjournment.

Mr. Kennedy returned the tax list of Washington county, which was referred to the committee of finance, and sent to the senate.

Mr. Nelson returned the tax list of Rutherford county, which was referred and disposed of as above.

Mr. Kennedy from the committee appointed to wait on his excellency the governor, and inform him that the legislature were convened and ready to receive any communications he might think proper to make, Reported, that the committee had according to order, performed that duty, and that his excellency informed them that he would lay his communications before the general assembly this day.

Mr. John Scott from the committee of propositions and grievances, Reported,

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That they had according to order, had the petition of sundry inhabitants of Sullivan county under consideration, praying that the public offices of said county may be kept at the place of holding court in the same, and that they had found the prayer of said petition reasonable. The report of the committee being read,

Resolved, That this house concur therewith.

The same gentleman further reported, that the above committee had likewise had under consideration the petition of Nicholas Perkins Hardeman, praying to be exempt from militia duty, and that they had found the prayer of the petition unreasonable.

The report being read, Resolved, that this house concur therewith.

Mr. Russell from the select committee who were appointed to take into consideration the petition of John Henderson, praying that William Miller may be adopted his son, reported, that the committee had found the prayer of the petition reasonable.

The said report being read, Resolved, that this house concur therewith.

Sundry returns of registers and of taxable property, were received, and referred to the committee of finance.

Mr. Perkins presented a petition from sundry inhabitants of Rutherford county, praying that the seat of justice of said county may be removed as near the centre as possible, which was read and referred to a select committee consisting of Messrs. Russell, Tipton and Porter.

Mr. Perkins presented the petition of William Gorman, praying compensation for keeping a certain culprit named [illegible] laid petition; also praying that the legislature pass a law authorizing the county court of Davidson to make him compensation for his services as jailor of said county; which was read, referred to the committee of propositions and evances, and sent to the senate.

The bill to compel the several clerks, &c. to keep their offices at the place of holding their respective courts, &c. was withdrawn by Mr. Porter for amendment.

Mr. Kennedy introduced a bill to authorize the different county courts in this state to alter the names of illegitimate

mate persons and children, which was read the first time, passed, and sent to the senate.

Mr. Kennedy then proposed sundry additional rules for the government of this house, which were read and ordered to be engrossed and pasted up, which was done.

Received from the senate sundry documents evidencing that William Dixon, esquire, had advanced monies for the benefit of the state, which were read and referred to the committee of claims.

Mr. Russell presented a petition from sundry inhabitants of Greene county, praying an amendment to an act of assembly therein mentioned, relative to officers, &c. who have collected monies and failed to pay them over; which was read, and referred to the committee of propositions and grievances, and sent to the senate.

Received from the senate, the petition of Henry Tooley, praying indemnification for certain lands by him conveyed for the benefit of Smith county; which was read and referred to the committee of propositions and grievances.

Also, the petition of James Minis, Sheriff of Robertson county, stating that judgments had been entered against him for failing to pay up the public taxes according to law, and praying the general assembly to pass a law giving him time to pay up his arrearages, which was read and referred to the committee of propositions and grievances.

Ordered, That a message be sent to the senate informing them that this house are ready to receive their body for the purpose of counting the votes for governor and members of congress, which went accordingly.

At the hour of 12 o'clock this day, both houses met in the chamber of the house of representatives for the purpose of counting the votes for governor of this state, and members of congress to represent this state in the congress of the United States; and after some time spent therein, the speaker of the senate pronounced in the hearing and presence of both houses, that John Sevier was duly and constitutionally elected governor of the state of Tennessee; and that George Washington Campbell, William Dickson, and John Rhea, esquires, were duly and constitutionally elected

members of congress, to represent this state in the congress of the United States.

Received a communication from the governor, which was read and sent to the senate.

Mr. Russell presented the petition of George Wallace, praying that he may be permitted to sell goods, &c. without being subject to the tax prescribed by law, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Kenner presented a petition from sundry citizens, praying an alteration in the line between the counties of Greene and Hawkins, which was read, referred to the committee of propositions & grievances, & sent to the senate.

The same gentleman presented a petition from sundry inhabitants of Hawkins county, praying that a battalion muster may be held on the north side of Clinch mountain, in the most centreable place, which was read and disposed of as above.

Mr. Porter introduced the following resolution, which was read and agreed to :

Resolved, That a committee be appointed on the part of this house, to act with such gentlemen as may be appointed on the part of the senate, to take under consideration the communication of his excellency the governor.

Resolved, That Messrs. James Scott and Russell, be a committee on the part of this house, and that a message go to acquaint the senate, which was sent.

Mr. Russell introduced a bill to alter the name of a certain person therein mentioned, which was read the first time, passed, and sent to the senate.

Mr. Wynne introduced the following resolution :

Resolved, That a committee be appointed on the part of this house to wait on John Sevier, esquire, and inform him of his election as governor. The same being read was agreed to, and the following gentlemen appointed for that purpose, to wit. Messrs. Wynne and Bunch.

Mr. Kennedy introduced a bill authorising the payment of the fees and other expences attending the execution of persons who have no estate, out of which the same may be paid, which was read the first time, passed, & sent to the senate.

Mr. Nelson presented the petition of sundry citizens of this state, praying that an additional district may be laid off in the district, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Received from the senate, a bill; supplementary to an act, entitled, "an act prohibiting any state's attorney from presenting any bill of indictment without a prosecutor marked thereon," which was read the second time, amended, passed, and sent back to the senate.

Mr. Porter introduced the following resolution, which was read and agreed to, and Messrs. Porter, Moore, Christy, and Preston appointed on the part of this house to carry the same into effect:

Resolved, That a joint committee be appointed to enquire whether the contract with George Houlstone for printing the laws and journals of the last general assembly, has been complied with.

Ordered, that a message go to inform the senate, which was sent.

Received from the senate a message notifying this house that they have concurred in referring the communications of the governor to a committee and that they had named Mr. Jack on their part.

Mr. Tipton presented a petition from the officers of Sullivan county, praying relief from paying postage on papers directed to them in their official capacity, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Received from the senate a message, informing this house that they had appointed a committee consisting on their part of Messrs. King, Wilkinson, and Murray, to enquire what alterations were necessary to the judicial system, and if any, what. The message being read was concurred with, and Messrs. Kennedy, Tipton, Porter, Perkins, Harmon, and Nelson appointed on the part of this house.

Ordered, That a message go to inform the senate, which was sent accordingly.

The house then adjourned until to-morrow morning 9 o'clock.

T H U R S D A Y, September 19th, 1865.

The house met according to adjournment.

Mr. Kennedy introduced a bill to repeal the second sessi-

on of an act, entitled, "an act respecting dollars, cents and contracts, and the manner of keeping accounts, so far as it respects the currency in which contracts shall be made and accounts kept," which was read the first time, passed, and sent to the senate.

A bill to authorise the different county courts in this state to alter the names of illegitimate persons and children, was read the second time, amended, passed, and sent to the senate.

Mr. Porter returned a bill to compell the clerks of the courts of equity, clerks of the superior courts of law, clerks of the county courts, & registers of the different counties in this state, to keep their offices at the different places of holding their respective courts; the said bill being read, Mr. Porter offered an amendment so as to make the bill applicable to persons only who might hereafter accept of any of the offices named in the bill. The amendment being read was rejected. The ayes and nays being called for, those who voted in favor of receiving the amendment were, Messrs. James Scott, Perkins, Wynne, Chisholm, Porter and John Scott.

Those who voted against the receiving the amendment were, Messrs. Greer, Lillard, Bunch Rentfro, Russell, Harmon, Kenner, Seahorn, Markland, Preston, Nelson, Moore, Tipton, Kennedy and Bean.

The bill was then read the second time and passed. The ayes and nays being called for, those who voted for the passage of the bill, were, Messrs. Greer, Lillard, Bunch, Rentfro, Russell, Harmon, Kenner, Seahorn, Markland, Preston, Nelson, Moore Tipton, Kennedy and Bean.

Sundry tax lists and amount of taxes collected by clerks and registers, were received, and referred to the committee of finance.

A bill to alter the name of a certain person therein mentioned, was withdrawn by Mr. Russell for amendment.

Mr. Tipton presented the petition of the administrators of John Spurgen, deceased, late of Sullivan county, praying that a law may be passed authorising them to convey certain lands for which the deceased had contracted in his life time, which was read, referred to the committee of propositions and grievances, and sent to the senate.

A bill authorising the payment of the fees and other expences attending the execution of persons who have no estate out of which the same may be paid, was read the first time, passed, and sent to the senate.

Received from the senate, the report of the committee appointed to contract with a printer for the purpose of printing the journals, laws, &c. of the present session.

The report being read, was rejected.

Ordered, That the same be entered on the journal, and it is as follows :

The committee appointed to contract with a printer for the purpose of printing the laws and journals of the present session, Report, that John B. Hood, Hugh Dunlap, and John Lavender, have agreed to do the printing on the following terms, to wit :

To print as many copies of the laws as the legislature may think proper, upon a royal paper, in a duodecimo fold, at the rate of three cents for every sixteen pages.

To print the journals upon the same kind of paper, folded in the same manner, at the rate of one and one half cents for every sixteen pages.

To print such laws as the legislature may think proper, of a public nature, occasionally during the sitting of the same, allowing the expence of paper only.

That they will print the journals of both houses daily, or in as speedy a manner as possible, so as to have them completed in one month after the rising of the assembly. The laws to be delivered to the clerks of each county in six months from receiving the copies at his office. For the performance of which, the said John B. Hood, Hugh Dunlap, and John Lavender, agree to enter into bond with such security as the legislature may approve of. The said Hood, Dunlap, and Lavender further agree, that in case the legislature may think proper to reverse the above contract, so as to have the laws printed first, to have them done and delivered to the clerks in two months from the rising of the assembly, and the journals in six.

Ordered, That a message go to inform the senate that this house propose amending the foregoing report, by caus-

ing the laws to be delivered in two months, and the journals in six, which was sent accordingly.

Received from the senate, a message stating that they had withdrawn Mr. Murray from the committee of propositions and grievances, and appointed Mr. Williams in his place, which was read and concurred with.

Mr. Russell returned a bill altering the name of a certain person therein mentioned, which was read the second time, amended, passed, and sent to the senate.

Received from the senate, a bill declaring certain words to be actionable, and to enable defendants to justify on indictments for libels, which was read the first time, passed, and sent back to the senate.

Mr. Kennedy introduced a bill to compel the justices of the peace of the different counties in this state, to keep all the judgments they render in their possession, and for regulating the appointment of constables, which was read the first time, passed, and sent to the senate.

Received from the senate, a message notifying this house that they had added Messrs. Murray and King to the committee who have under consideration the governor's communication, which was read and concurred with.

Received from the senate, a message informing this house of the concurrence of that body with the proposed amendment of this house, to the report of the committee appointed to contract with a printer, &c. &c.

The house then adjourned until to-morrow nine o'clock.

F R I D A Y, September 20th, 1805.

The house met according to adjournment.

Mr. John Scott from the committee of propositions and grievances, Reported, that the committee had according to order, had the petition of sundry inhabitants of Willson county, praying to be annexed to Rutherford county, under consideration, and had found the prayer thereof unreasonable. The said report being read, was concurred with.

The same gentleman reported, That they had considered the petition of the officers of Sullivan county, praying to be exempt from the payment of postage on commissions, &c.

and found the same unreasonable. The report being read, was concurred with.

The same gentleman reported, That they had considered the petition of William Gorman, jailor of Davidson, praying compensation for keeping a prisoner, and found the prayer of said petition reasonable. That they had also considered the petition of the same person, praying that a law may be passed authorising the court of Davidson county to allow him additional compensation as jailor of said county, and that they had found the prayer of said petition unreasonable. The said reports being read, was concurred with.

The same gentleman reported, That they had considered the petition of Henry Tooley, praying the re-conveyance of certain lands conveyed to the commissioners of Smith county, and found the prayer thereof reasonable.

The report being read was concurred with.

That they had also considered the petition of James Meets, collector of taxes for the county of Robertson, praying further time for paying up his arrearages, and had found the prayer thereof unreasonable. The report being read was concurred with.

That they had also considered the petition of sundry inhabitants of Mero district, praying that the same may be so divided that a district court may be held at the town of Clarksville ; likewise the petition of George Wallace, praying that he may be exempted from the payment of the tax to which hawkers and pedlars are subjected, and that they had found the prayers of said petitions to be reasonable. The said reports being read, were concurred with.

That they had also considered two petitions of sundry inhabitants of Hawkins county, the one praying that a separate militia muster may be held on the north of Clinch mountain ; the other, that the line between the counties of Hawkins and Greene, may be more certainly ascertained, and that they had found the prayers of said petitions unreasonable, and ought not to be granted. The report being read, was concurred with.

A bill to repeal the second section of an act respecting dollars and cents and contracts, and the manner of keeping

accounts, so far as respects the currency in which contracts shall be made and accounts kept, was read the second time, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill, were, Messrs. James Scott, Greer, Lillard, Bunch, Rentfro, Kenner, Seahorn, Markland, Preston, Nelson, Moore, Kennedy, and Bean.

Those against it were, Messrs. Perkins, Russell, Harmon, Wynne, Chistholm, Porter, and John Scott.

A list of sundry taxes collected, and tax lists were returned, referred to the committee of finance, and sent to the senate.

Mr. Porter introduced the following resolution, which was read and agreed to :

Resolved, That the secretary be requested to inform the house whether the honorable William Dickson, has deposited any documents in his office agreeable to the instructions to him given by his excellency Archibald Roane, late governor of this state, and if so, to lay the said documents before this house.

Mr. Russell introduced a bill to authorize George Wallace to hawk, peddle, and retail any lawful commodity whether foreign or domestic, free of taxation, which was read the first time, passed, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

S A T U R D A Y, September 21st, 1865.

The house met according to adjournment.

Mr. Moore from the committee of claims, reported, that they had taken under consideration the claim of William Dixon esquire, for monies advanced on behalf of the state for the purpose of procuring certain documents for the use of the same ; also the claim of general James Robertson, for his attendance at a treaty with the Cherokee Indians, in obedience to a resolution of the general assembly, and that the committee had found the said claims reasonable. The report being read was concurred with.

Sundry tax lists were returned, and referred to the committee of finance.

Mr. Nelson introduced a bill to establish a town in Stewart county, at the place fixed on for the seat of justice in the said county, which was read the first time, passed, and sent to the senate.

Mr. Russell introduced a bill for the building and maintaining of court houses, prisons and stocks, in every county in this state, which was read the first time, passed, and sent to the senate.

Mr. Kennedy presented the petition of Joseph Crouch and Patrick Long of Washington county, praying compensation for keeping and executing certain culprits therein named, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Russell presented the petition of Asahel Rawlings, praying that the rangers of the different counties may be permitted to administer an oath to the owners of strays without the interference of a magistrate, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Porter introduced a bill to appoint additional commissioners for the town of Sevierville, and for other purposes relative thereto, which was read the first time, passed, and sent to the senate.

A bill to compel the justices of the peace of the different counties in this state to keep the judgments they render, and for the regulation of the appointment of constables, was withdrawn by Mr. Russell for amendment.

A bill declaring certain words to be actionable, and to enable defendants to justify on indictments, was read the second time, amended, passed, and sent to the senate.

A bill to alter the names of certain persons therein mentioned, was read the 3d time, passed, and sent to the senate.

A bill to compel the attendance of commissioners appointed for the regulation of the different towns in this state, and to give them more special powers for the execution of that trust, was read the first time, passed, and sent to the senate.

A bill to authorize George Wallace to hawk, peddle, or retail any lawful commodity whether foreign or domestic,

free of taxation, was withdrawn by Mr. Rentfro for amendment.

A bill declaring a certain time therein mentioned, for the purpose of fixing the seat of government in the county of Knox, and town of Knoxville, was read the first time, passed, and sent to the senate.

Mr. Preston had leave of absence until Thursday next.

Mr. Porter until Tuesday.

The treasurer of Mero district made his return, which was referred to the committee of finance.

The house then adjourned until Monday nine o'clock.

M O N D A Y, September 23d, 1895.

The house met according to adjournment.

A bill authorizing the building and repairing court houses, prisons and stocks in every county in this state, was read the second time, amended, passed, and sent to the senate. Before the passage of the bill Mr. Porter offered the following amendment to the 2d section, after the words "five dollars on each merchant, hawker, or pedlar," the words "that may be in the limits of said county on the first of January in each & every year." The amendment being read was received. The yeas and nays being called for, those who voted in favor of receiving the amendment were, Messrs. Greer, Lillard, Bunch, Rentfro, Harmon, Kenner, Seahorn, Chisholm, Porter, John Scott, Tipton and Bean.

Those against receiving the amendment, were, Messrs. Perkins, Russell, Markland, Nelson, Wynne, Moore and Kennedy.

Received from the senate, a message informing this house of the intention of that body to adjourn to the barracks of the United States, which was read, and concurred with, and a message sent to acquaint them therewith.

Sundry lists of taxes collected, and of taxable property were received, and referred to the committee of finance.

A bill to establish a town in Stewart county at the place fixed on by the commissioners for the seat of justice in said county, by the name of Dover, was read the second time, amended, passed, and sent to the senate.

Mr. John Scott from the committee of propositions and grievances reported, That they had considered the petition of Thomas Belor, praying to be restored to the rights of a citizen, and had found the prayer of said petition unreasonable, and ought not to be granted. The report being read, was concurred with.

The same gentleman reported, That they had likewise considered of the petition of Asahel Rawlings, praying an amendment to the stray law, and had found the prayer of said petition reasonable. The report being read,

Resolved, that this house do not concur with the committee.

Mr. Bunch presented three petitions from sundry inhabitants of the county of Claiborne, praying that James Red-dye may be indemnified by law for erecting a mill on Powell's river, which was read and referred to the committee of propositions and grievances.

A bill to appoint additional commissioners for the town of Sevierville, and for other purposes relative thereto, was read the second time, amended, passed, & sent to the senate.

Mr. Rentfro returned a bill to authorize George Wallace to hawk, peddle, &c. with an amendment, which was received. The bill was then withdrawn by Mr. Russell for further amendment.

A bill to repeal so much of the law giving fifty cents to grand jurors for each day's attendance in the county courts, and to alter the allowance of petit jurors, was read the first time, passed, and sent to the senate.

A bill to authorize the superior and county courts to alter the names of illegitimate persons or children, withdrawn by Mr. Tipton for amendment.

A bill for the better regulation of the county courts, was ordered to lie on the table for ten days.

A bill to compel the attendance of commissioners appointed for the regulation of the different county towns in this state, and to give them more special power for the execution of that trust, was withdrawn by Mr. Porter for amendment.

The house then adjourned until to-morrow morning 9 o'clock.

Received from the senate an answer to the governor's communication, which was read & unanimously concurred with.

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TUESDAY, September 24th, 1805.

The house met according to adjournment.

Sundry tax lists and amount of taxable property were returned, and referred to the committee of finance.

Received from the senate three petitions from sundry inhabitants of Smith and Jackson counties, praying that Smith county may be reduced to its constitutional limits, and that a new county may be laid off according to the plan stated in said petition; also praying that two new districts be laid off in the district of Mero, which were read and referred to the committee of propositions and grievances.

Received from the senate three petitions from Archibald Sloan, praying that the law relative to prophane swearing may be more certainly defined; also praying that magistrates may be permitted to receive fees for the services by them performed; also praying that the citizens of this state may be allowed to retail spirits by the smalls, distilled from articles raised in the state, without being compelled to take out a licence, which was read and referred to the committee of propositions and grievances.

A bill declaring certain words actionable, and to enable persons indicted for libels to give the truth of the matter in evidence, under the plea of not guilty, was taken up.

Mr. Kennedy proposed amending the same by striking out the word "may" in the second section, and inserting the word "shall," which was agreed to.

Ordered, That a message go to inform the senate, and request their concurrence, which was sent accordingly.

Received from the senate, a message notifying this house that they had concurred with the proposed amendment to the bill declaring certain words actionable, and to enable persons indicted for libels to give the truth of the matter in evidence, under the plea of not guilty, and that they had sent Messrs. King and Wilkinson to see the same made. The said bill was then amended, read the third and last time, passed, and ordered to be engrossed.

Mr. Tipton introduced a bill to repeal an act passed at Knoxville, August the fourth, 1804, giving additional com-

penation to the governor, judges of the superior courts of law and equity, and secretary of state, which was read the first time, passed, and sent to the senate.

Mr. Perkins presented the petition of Benjamin J. Bradford, praying compensation for advertising certain lands in his paper, for sale for the payment of taxes, and that the fees in such cases may be raised, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Tipton returned a bill to authorise the different superior or county courts of this state to alter the names of illegitimate persons and children, which was read the third and last time, amended, passed, and sent to the senate.

Sundry tax lists were received, and referred to the committee of finance.

Received from the senate the report of the committee appointed to wait on John Sevier, esquire, and inform him of his election as chief magistrate of this state, and request him to inform the assembly when he would attend for the purpose of being installed. The report states that the committee had, according to order, performed that duty, and that his excellency would attend both houses in the representatives chamber, this day at 12 o'clock.

The report being read was concurred with.

Received from the senate a message proposing that both houses assemble this day in the representatives chamber at 12 o'clock, for the purpose of installing the governor elect. Which was read and concurred with.

Mr. Tipton introduced a bill to amend an act giving privilege to the inhabitants of the lower end of Sullivan county, to hold separate elections, which was read the first time, passed, and sent to the senate.

Ordered, That a message go to inform the senate that this house are ready to receive their body for the purpose of installing the governor, which was sent accordingly.

Received from the senate a message informing this house that they had on their part appointed Mr. Gals as a committee to wait on one of the judges of the superior court, and request him to attend in this house for the purpose of administering the necessary oaths to the governor elect,

which was read and concurred with. Mr. Tipton introduced a bill to amend an act giving privilege to the inhabitants of the lower end of Sullivan county to hold separate elections, which was read the first time, passed, and sent to the senate.

Ordered, that a message go to inform the senate, that this house are ready to receive their body for the purpose of installing the governor, which was sent accordingly.

Received from the senate, a message informing this house that they had on their part appointed Mr. Gals, as a committee to wait on one of the judges of the superior court, and request him to attend in this house for the purpose of administering the necessary oaths to the governor elect, which was read and concurred with, and Messrs. Seahorn and Bean appointed on the part of this house.

This day at 12 o'clock, both houses convened in the representatives' chamber for the purpose of installing the governor, and after some time his excellency appeared, whereupon the honorable Hugh L. White, one of the judges of the superior courts, who had been requested to attend for that purpose, administered the oaths required by the constitution of the United States, and the laws and constitution of this state. His excellency then made a short communication to both houses and retired; the senate then returned to their own chamber.

Received from the senate, a message proposing that a committee be appointed to examine the enumeration of taxable inhabitants in each county, to apportion the representation agreeably to the second, third and fourth articles of the constitution, and that they had on their part named Messrs. Taylor, Jack and Maury. The message being read was concurred with, and Messrs. Kennedy, Perkins, Markland, Kenner, Moore, Harmon and Tipton appointed on the part of this house.

Received from the senate, the petition of sundry inhabitants of Mero district, praying that James Salmon may be restored to his former privileges and capacities, which was read and referred to the committee of propositions and grievances.

Mr. Kenner introduced a bill supplementary to an act for

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The better establishment and regulation of the militia of this state, which was read the first time, passed, and sent to the senate.

Mr. Wynne presented a petition from sundry inhabitants of Smith county, praying that the public buildings of said county may remain where they are now fixed, and that said county may be divided agreeable to a line named in said petition, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Wynne presented the petition of sundry inhabitants of Smith county, praying that a law may be passed for the removal of obstructions to the navigation of the creek called Smith's fork, which was read, referred to the committee of propositions and grievances, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, September 25th, 1805.

The house met according to adjournment.

Mr. Scott from the committee of propositions and grievances, reported, that they had had under consideration the petition of Archibald Sloan, praying that justices of the peace in this state may be allowed certain fees for their services, that the same was reasonable, and ought to be granted, which was read and concurred with.

Also, the petition of sundry inhabitants of Mero district, praying that James Salmon may be restored to his privileges and capacities, and had found the same reasonable, and that it ought to be granted, which was read and concurred with.

Also, the petitions of sundry inhabitants of Claiborne county, praying that a law may be passed for the protection of James Roddy's mills on Powell's river, and find the prayer thereof reasonable, provided said Roddy erects a slope over said dam, which was read and concurred with.

That they had also considered the petition of sundry inhabitants of Claiborne county, praying the removal of certain obstructions on Powell's river, and found the same unreasonable, which was read and concurred with.

Also, the petition of Archibald Sloan, praying that the citizens of this state may be permitted to retail spirituous liquors distilled from the produce of their own farms without a licence, and found the same unreasonable, which was read and concurred with.

Also, the petition of Archibald Sloan, praying that the duty of justices of the peace with respect to profane swearing, &c. may be more certainly defined, and found the same unreasonable, and that it ought not to be granted, which was read and concurred with.

Mr. Porter introduced a bill to confirm and establish James Roddy's mill dam across Powell's river, which was read the first time, passed, and sent to the senate.

Mr. Porter returned a bill to compel the attendance of commissioners appointed for the regulation of the different county towns in this state, and to give them more special powers in the execution of that trust, which was withdrawn by Mr. Tipton for amendment.

Mr. Kennedy presented the petition of sundry persons calling themselves dunkards, praying to be exempted from serving on juries, which was read and referred to the committee of propositions and grievances.

The secretary of this state, pursuant to the resolution of this house, laid before the house the documents procured by the hon. Wm. Dixon, from the office of the secretary of the United States, purporting to be copies of entries of lands granted by the state of North-Carolina, for lands south of the river Ohio.

Mr. Russell returned a bill to authorize George Wallace and Henry Carter, to hawk, peddle and retail any lawful commodity, free of taxation, and for other purposes, which Mr. Russell proposed to amend by striking out all from the word "a bill," and in lieu thereof the following: "for the relief of George Wallace and Henry Carter, of Jefferson county. Whereas George Wallace and Henry Carter, of Jefferson county, have by accident lost their right hands, and thereby rendered incapable of labor. Be it enacted by the general assembly of the state of Tennessee, that George Wallace and Henry Carter, of the county of Jefferson aforesaid, is hereby exempted from the payment of all coun-

ty and state taxes whatever, and shall not, by a non-compliance with the requisitions of revenue laws of this state, incur any of the penalties therein contained.

The amendment being read, was rejected. The yeas and nays being called for, those for receiving the amendment, were, Messrs. Greer, Russell, Markland and Kennedy.

Against it, Messrs. James Scott, Lillard, Bunch, Rentfro, Harmon, Kenner, Seahorn, Preston, Nelson, Wynne, Moore, Chisholm, Porter, John Scott, Tipton and Bean. The bill was then read the second time, amended, passed, and sent to the senate.

A bill concerning James Robertson, was read the first time, passed, and sent to the senate.

A bill appointing additional commissioners to the town of Sevierville, and for other purposes therein mentioned, was read the third and last time, passed, and sent to the senate.

Mr. Russell presented the petition of George Gordon, praying that a law may be passed authorising him to finish his mill dam across Nolichucky, so as not to obstruct the navigation of said river, which was read, referred to the committee of propositions and grievances and sent to the senate.

Received from the senate a message proposing an amendment to the bill authorising the superior and county courts of this state, to alter the names of illegitimate persons and children, by striking out from the words "A bill," the amendment being read was rejected, and a message sent to inform the senate.

Mr. Perkins introduced the following resolution: Resolved, that a joint committee be appointed to take into consideration the situation of the turnpike road leading from Hamilton to Mero district, as also the turnpike road from Bean's station to Sycamore creek, in Grainger and Claiborne counties, and report by bill or otherwise, the resolution was adopted, and Messrs. Perkins, Nelson, Moore, Chisholm, Rentfro and Preston, appointed on the part of this house.

Mr. Tipton returned a bill to compel the attendance of commissioners appointed for the regulation of the different

laws in this state, which was read the second time, amended, passed, and sent to the senate.

Mr. Wynne presented the petition of sundry inhabitants of Mero district, praying that persons holding lands under warrants, may avail themselves of the statute of limitation, and that where land is lost by older and better titles, the defendant may be allowed for the improvements made thereon, which was read referred to the committee of propositions and grievances, and sent to the senate.

Mr. Russell returned a bill to compel the justices of the peace of the different counties of this state, to keep all the judgments they render in their possession, and for the regulation of the appointment of constables, which was ordered to lie on the table for five days.

The house then adjourned until to-morrow morning nine o'clock.

T H U R S D A Y, September 26th, 1805.

The house met according to adjournment.

Mr. Chapman White, a member from Davidson, Williamson and Rutherford, appeared, produced his credentials, was qualified, and took his seat.

A bill appointing one commissioner in each county in the district of Washington, for the purpose of searching the records of the clerk's office of the superior court of law in said district, to see how, and in what manner, the fines and forfeitures arising in said court, have been settled, accounted for, and disbursed, was read the first time, passed, and sent to the senate.

A bill supplementary to an act, entitled, "an act for the better establishment and regulation of the militia," was read the second time, passed, and sent to the senate.

A bill to amend an act passed at Knoxville, giving privilege to the inhabitants of the lower end of Sullivan county, to hold separate elections, was withdrawn by Mr. John Scott for amendment.

A bill to repeal an act passed at Knoxville, August 4th, 1804, giving additional compensation to the governor, judges of the superior courts of law and equity, and secretary of state, was read the second time, and rejected.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. Harmon, John Scott, Tipton and Bean.

Against it, Messrs. James Scott, Greer, Lillard, Perkins, White, Bunch, Rentfro, Russell, Kenner, Seahorn, Markland, Preston, Nelson, Wynne, Chisholm, Porter and Kennedy.

The gentlemen whose names are underwritten, filed their reasons for voting against the bill, in the following words:

The reasons why we voted against the passage of the bill to repeal an act, entitled, "an act passed at Knoxville, the 4th of August, 1804; giving additional compensation to the governor, judges of the superior courts of law and equity, and secretary of state, are:

1st. Every member of this legislature, in his oath, is sworn to support the constitution of this state.

2d. That in the seventh section of the second article of the constitution, are the following words. "He (meaning the governor) shall at stated times receive a compensation for his services, which shall not be increased or diminished during the period for which he shall have been elected."

3d. To vote for the foregoing bill would have been a palpable violation of the constitution of this state.

4th. We have no idea, or wish to render ourselves popular with the people, at the expence of the violation of our oaths.

(Signed)

RHODAM KENNER,
JOHN BUNCH,
GEORGE PRESTON,
JOHN KENNEDY,
JOHN RUSSELL,
J. P. H. PORTER,
JOHN SEAHORN,
JAMES SCOTT.

Mr. Tipton, and those who voted for the bill, had leave to file their reasons, and they are as follows:

We do not conceive the bill to have been unconstitutional, because it was not intended by the friends thereof, that it should operate on the salary of the governor last elected,

nor could it ; on the contrary, our express intention was to prevent a similar evil in future ; and as to the residue of the bill, it cannot be pretended that there is a word in the constitution, which prohibits the reduction of the salaries of the judges and secretary of state at any time. We beg leave further to add, this measure was in our opinion necessary, owing to the many appropriations made and chargeable upon the public treasury, such for instance as the agency to North-Carolina, the cutting public roads, &c. For these reasons, and not from motives of popularity, we voted for the passage of the bill.

(Signed)

JOHN TIPTON,
JOHN SCOTT,
JOHN HARMON,
EDMUND BEAN,

Received from the senate a message concurring with the amendment proposed by this house to the bill authorizing the different superior or county courts of this state to alter the names of illegitimate persons, by striking out the word legitimize, and inserting in the room thereof the words "make legitimate;" also, in the third line of the second section, in the room of the word legitimizing, the word "legitimating," and in the last line but one of the same section, in the room of legitimized, the words "said person made legitimate as aforesaid," which was read and concurred with, and Messrs. Russell and Kennedy sent to see the same made.

A bill to establish James Roddy's mill dam across Powell's river, was read the second time, passed, and sent to the senate.

The house then resolved itself into a committee of the whole, on the bill compelling the clerks of the courts of equity, clerks of the superior courts of law, clerks of the county courts, registers and rangers of the different counties in this state, to keep their offices at the places of holding their respective courts, which being read section by section, the committee rose and reported progress. The bill was then read the third and last time, passed, and sent to the senate.

Mr. Tipton from the select committee to whom was referred the petition of sundry inhabitants of Rutherford county, praying that the seat of justice in said county may be removed to the centre thereof, reported, that the committee had, according to order, had the same under consideration, and that the prayer thereof was unreasonable, which was read, but not concurred with.

The secretary of state then laid before the house the following communications from his excellency the governor, viz. The memorial of the mayor, aldermen, assistants, medical faculty, and other citizens of Natchez, respecting the erection of a hospital in the town of Natchez, which was read and referred to a select committee consisting of Messrs. Kennedy, White, and Russell. Also, the memorial of Robert Williams, stating that he had been empowered by the state of North-Carolina, to revise the private acts and statutes of said state, and proposing to insert such as might relate to this state, provided the legislature of this state would authorise a subscription for a certain number of copies, which was read and referred to the committee of propositions and grievances.

Also, communications from several of the sister states, proposing sundry amendments to the constitution of the United States; which was read and referred to a select committee consisting of Messrs. Porter, Wynne, Lillard, Harmon and Perkins.

Ordered, that a message go to inform the senate of the same; which was sent accordingly.

Received from the senate a message informing that they had read for the third and last time, a bill appointing additional commissioners for the town of Sevierville, &c. and proposed amending the same, by adding the names of Benjamin Ominet and William Mitchell, to the commissioners in said bill named, which was read and agreed to, and Messrs. Porter and Seahorn sent to see the same made.

Sundry papers and documents of Eli Whitney, respecting his patent right to the machine for cleaning cotton, commonly called the saw-gin, was received, and ordered to lie on the table.

The house adjourned until to-morrow morning 9 o'clock.

F R I D A Y, September 27th, 1805.

The house met according to adjournment.

Mr. Porter introduced a bill to authorise the county court of Sevier to compensate the surveyors, commissioners and chain carriers for ascertaining the line between the counties of Jefferson and Sevier, which was read the first time, passed, and sent to the senate.

Mr. Rentfro presented a petition from sundry inhabitants of Claiborne and Hawkins counties, praying an amendment to the law establishing county courts, which was read and referred to the committee who have under consideration the judicial system of this state.

Mr. Moore presented the petition of sundry persons, praying that an appropriation may be made them for attending as witnesses against a certain defendant, who was indicted and acquitted, which was read and referred to the committee of propositions and grievances.

Mr. Kenner presented the petition of sundry inhabitants of Hawkins county, praying that the line between Hawkins & Greene counties may be altered, which was read and referred to the committee of propositions and grievances.

Mr. Lillard introduced a bill to appoint commissioners to settle with the persons heretofore appointed commissioners in the county of Cocke, to contract for the public buildings, and the regulation of the town of Newport, in the county aforesaid, by an act of the general assembly passed at Knoxville, the 9th day of October, 1797, which was read the first time, passed, and sent to the senate.

A bill to establish and confirm James Roddy's mill dam across Powell's river, was read the third and last time, amended, passed, and sent to the senate.

A bill to amend an act, entitled, "an act for the better establishment and regulation of the militia of this state," so far as respects the county of Hawkins, was withdrawn by Mr. Kenner for amendment.

A bill to divide the district of Mero into three judicial districts, which was ordered to lie on the table for ten days.

A bill to compel the attendance of commissioners appointed for the regulation of the different towns in this

State, was read the third and last time, and proposed to be amended by inserting after the words "in their respective towns," in the sixth line of the first section, the following words, "at least once in every three months, and oftner if necessary, on the third day of the different county courts," and after the words "may accrue," in the tenth line of the same section, the following words "by a warrant in the name of the chairman of the commissioners, or intendant of the town."

Ordered, that a message go to the senate to inform them of the same, which was sent accordingly.

A bill to enable persons having a right or title to lands, and not in actual possession thereof, to transfer their interest, was read the first time, passed, and sent back to the senate.

A bill declaring a certain time therein mentioned, for the purpose of fixing the seat of government in the county of Knox, and town of Knoxville, was withdrawn by Mr. Kennedy for amendment.

Mr. Bunch moved for, and obtained leave of absence until Monday next.

Received from the senate a message concurring with the amendment proposed by this house to the bill to compel the attendance of the commissioners appointed for the regulation of the different towns in this state, except so far as respects the words "intendant of said town."

Received from the senate the following resolution, (which was reported from the committee to whom was referred the governor's communications.)

Resolved, that a committee be appointed to take into consideration that part of the governor's communications which relates to the law passed by North Carolina, authorising the state of Tennessee to perfect titles to lands, and that they be directed to report by bill or otherwise, and that the said committee consist of Messrs. Gass, Jack and Stewart, which was read and concurred with, and Messrs. Porter, Nelson, Kentfro, White and Greer were appointed to act with the gentlemen appointed by the senate.

Received from the senate a message concurring with this house in the appointment of a joint committee to take into consideration the situation of the turnpike road leading from

Hamilton to Mero district, and also the turnpike road from Bean's station to Sycamore creek, in Grainger and Claiborne counties, and appointing on their part Messrs. Gals, Doherty and Stewart, to act with the gentlemen by this house appointed.

Received from the senate the following resolution, reported by the committee to whom was referred the governor's communication:

Resolved, that a committee be appointed to enquire whether the road directed to be cut out and opened in conjunction with the state of Georgia, leading thereto, is completed according to law. Also,

That part of the said communications as relates to the lock and improvements to be erected on the north fork of Holston river, and make report thereof, and that they had referred the same to the committee to whom was referred the situation of the turnpike roads, &c. which was read, concurred with, and referred as by the senate.

Received from the senate the returns of the enumeration of Washington, Hamilton, and Mero districts, which were read and referred to the committee heretofore appointed to take the same under consideration.

Mr. John Scott returned a bill to amend an act giving privilege to the inhabitants of the lower end of Sullivan county, to hold separate elections, which was read the second time, amended, passed, and sent to the senate.

The house adjourned until to-morrow nine o'clock.

S A T U R D A Y, September 28th, 1805.

The house met according to adjournment.

Mr. Scott from the committee of propositions and grievances, reported, that the committee had considered of the petition of Joseph Crouch, sheriff of Washington county, praying an allowance for executing certain convicts by him executed, in pursuance of the sentence of the superior court of Washington district, and that the same was reasonable, which was read and concurred with.

The same gentleman reported, that they had also considered the petition of George Gordon, praying that a law

may be passed authorizing his completion of a mill dam across Nolichucky river, and that the same was reasonable, provided it be so constructed as not to obstruct the passage of boats or fish, which was read and concurred with.

That they had also considered the petition of fundry persons calling themselves dunkards, praying to be exempt from serving on juries, and that the same was reasonable, which was read and concurred with.

Also, the petition of Patrick Long, jailor of Washington district, praying an allowance for keeping certain culprits in said jail, and that the same was reasonable, and ought to be granted, which was read and concurred with.

That they had also considered the petition of fundry inhabitants of Mero district, praying that persons holding possession under entries, may be allowed for their improvements, and that the same was reasonable, and ought to be granted, which was read and concurred with.

Ordered, that Mr. James Scott be added to the committee to whom was referred the governor's communication, so far as respects the road from this state to the state of Georgia, and that a message go to the senate to inform them of the same, which was sent accordingly.

Mr. Russell introduced a bill to confirm a contract between the commissioners of the town of Greeneville and Valentine Sevier, agent for David Deaderick, which was read the first time, passed, and sent to the senate.

Mr. Russell introduced a bill making good the registration of all deeds registered by William Wilton, deputy of James Stinson, register of Greene county, which was read the first time, passed, and sent to the senate.

Ordered that a message go to the senate proposing a further amendment to the bill to compel the attendance of commissioners appointed for the regulation of the different towns in this state, by adding another section to said bill, and by striking out the words "intendant of said town" used in the former-proposed amendment, which was sent accordingly.

A bill authorizing the county court of Sevier to compensate the commissioners, surveyors and chain-carriers for ascertaining the line between the counties of Jefferson and

Sevier, was read the 2d time, passed, and sent to the senate.

A bill to enable persons having a right or title to land, and not in actual possession, to transfer their interest, was read the 2d time, amended, passed, & sent back to the senate.

A bill to appoint commissioners to settle with persons heretofore appointed commissioners in the county of Cocke, to contract for the public buildings, and the regulation of the town of Newport, in the county aforesaid, by an act of the general assembly, passed at Knoxville, the 9th day of October, 1797, was read the second time, passed, and sent to the senate.

Received from the senate a message concurring with the amendment proposed by this house to the bill to compel the attendance of commissioners appointed for the regulation of the different towns in this state, and informing that they had sent Messrs. Jack and Douglass to see the same made. Also concurring with the order of this house, that Mr. James Scott be added to the committee who have under consideration that part of his excellency's communication, that relates to the Georgia road.

A bill to compel the attendance of commissioners appointed for the regulation of the different towns in this state, was then read the 3d & last time amended passed & ordered to be engrossed.

A bill to authorise actions of ejectment and trespass south of French Broad and Holston, was read the first time, passed, and sent back to the senate.

A bill for the relief of such persons as have suffered, or may hereafter suffer, by their grants, deeds, mesne conveyances, & other instruments of writing not being proved & registered in this state, was withdrawn by Mr. Kennedy for amendment.

A bill to repeal a part of the fiftieth section of an act, entitled "an act to regulate the proceedings of the courts of equity," and for amendment of the law passed at Knoxville, November the 2d, 1801, was ordered to lie on the table.

Mr. Porter introduced a bill directing the mode of ascertaining the bounds of improvement and occupant claims, south of the rivers French Broad and Holston, between the rivers Big Pigeon and Tennessee, and making the plats of such improvements evidence of their bounds, which was read the first time, passed, and sent to the senate.

Ordered, that Mr. Russell be added to the committee of enrollments, and that a message go to the senate to inform them of the same, which was sent accordingly.

Received from the senate a message proposing to amend the bill to establish James Roddy's mill dam across Powell's river, by striking out the word "nine" and insert the word "six," in lieu thereof; and in the second section by striking out the words "in the court of the county where such dam may be," which was concurred with, and Messrs. Porter and Rentfro sent to see the same made.

Ordered, that a message be sent to the senate informing them of the concurrence of this house, which was sent accordingly.

A bill appointing additional commissioners for the town of Kingston, and for other purposes, was read the first time, passed, and sent back to the senate.

A bill to repeal the second section of an act respecting dollars and cents, and contracts, and the manner of keeping accounts, so far as respects the currency in which contracts shall be made and accounts kept, was read the third and last time, passed, and sent to the senate.

The house then adjourned until Monday nine o'clock.

MONDAY, September 30th, 1805.

The house met according to adjournment.

Mr. Seahorn being sick, had leave of absence.

Mr. Moore presented the petition of sundry inhabitants of Sumner county, praying that the present tax may be taken off the billiard tables, and laying a more moderate tax in lieu thereof, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Kennedy presented the petition of Walter Evans, praying to be released from a forfeited recognizance, which was read and disposed of as above.

Mr. Kenner returned a bill to amend an act, entitled, "an act for the better establishment and regulation of the militia of this state," which was read the third and last time, passed, and sent to the senate.

Mr. Perkins introduced a bill to repeal an act, entitled, "an act appointing commissioners to fix on the most eligi-

ble place for the seat of justice in Rutherford county, which was read the first time, passed, and sent to the senate.

Mr. Rentfro presented the memorial of Isaac Lane, one of the commissioners appointed to let the turnpike road from Bean's station to Sycamore creek, praying that certain alterations may be made in the law passed for that purpose, which was read, and referred to the committee who have that subject under consideration.

Mr. Greer presented the petition of sundry inhabitants of Carter county, praying certain alterations may be made as to the places of holding musters, courts martial, &c. which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Perkins presented the petition of James Campbell, praying to be released from imprisonment, which was read and disposed of as above.

Mr. White presented the petition of sundry inhabitants of Davidson county, praying that a law may be passed authorising a tax to be laid on the inhabitants thereof, for the purpose of erecting a new jail in the town of Nashville, which was read and referred as above.

Received from the senate the enumeration of Jackson county, which was referred to the committee for apportioning the representation of the people of this state, in the general assembly thereof.

Received from the senate a message concurring with the appointment of Mr. Russell on the committee for examining engrossed bills.

A bill to confirm a contract between the commissioners of the town of Greeneville and Valentine Sevier, agent of David Doadrick, was ordered to lie on the table for ten days.

A bill authorizing the county court of Sevier to compensate the commissioners, surveyors and chain carriers for ascertaining the line between the counties of Jefferson and Sevier, was read the third and last time, passed, and sent to the senate.

A bill defining the duties of coroners, was read the first time, passed, and sent to the senate.

A bill to enable persons having a right or title to land, &c.

not in actual possession thereof to transfer their interest, was taken up :

Mr. Kennedy moved that the bill be amended by adding a third section, repealing all laws or parts of laws that might come within the purview and meaning of the bill. The amendment being read was agreed to, and a message sent to the senate to inform them.

Received from the senate a message concurring with the foregoing amendment, and informing this house that they had sent Messrs. Gals and Williams to see the same made.

The bill being amended, was then read the third and last time, passed as amended, and ordered to be engrossed.

Mr. Kennedy returned a bill for the relief of such persons as have suffered or may suffer, by not having their grants, deeds, and other papers, &c. recorded in due time, which was read the first time, passed, and sent to the senate.

A bill to amend an act giving privilege to the inhabitants of the lower end of Sullivan county, to hold separate elections, was read the third and last time, amended, passed, and sent to the senate.

A bill to appoint commissioners to settle with the persons heretofore appointed commissioners in the county of Cocke, to contract for the public buildings, and the regulation of the town of Newport, in the county aforesaid, by an act of the general assembly passed at Knoxville, the 9th day of October, 1797, was read the third and last time, passed, and sent to the senate.

Received from the Senate, a resolution proposing that the members of the legislature be permitted to draw monies from the respective treasurers of the districts from which they come, for the purpose of paying postage, &c. The resolution being read, resolved, that this house do not concur with the senate.

Ordered, that a message go to acquaint the senate therewith, which was sent accordingly.

A bill making good the registration of all deeds registered by William Wilton, deputy of James Stinson, register of Greene county, was read the second time, passed, and sent to the senate.

A bill appointing additional commissioners for the regula.

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Gion of the town of Kingston, and for other purposes, was read the second time, passed, and sent to the senate.

A bill directing the mode of ascertaining of improvement and occupant claims, south of the rivers French Broad and Holston, between the rivers Big Pigeon and Tennessee, &c., was withdrawn by Mr. James Scott for amendment.

The treasurer of the districts of Hamilton and Washington, returned his account current with the state, which was read and referred to the committee of finance, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

T U E S D A Y, October 1st, 1805.

The house met according to adjournment.

A bill to repeal an act, entitled, "an act appointing commissioners to fix on the most eligible place for the seat of justice in Rutherford county, was read the second time and passed.

Mr. Nelson introduced a bill to compel registers to keep their records in well bound books, which was read the first time, passed and sent to the senate.

Mr. Russell introduced a bill authorizing George Gordon to complete the mills he is building on Nolichucky river, which was read the first time, passed, and sent to the senate.

Mr. Perkins introduced a bill concerning Moses Brown, which was read the first time, passed, and sent to the senate.

Received from the senate a message proposing the reception of a paper, purporting to be the enumeration of Greene county, in the room of that already received, which being read was not concurred with, and a message sent to inform the senate.

Received from the senate a communication from the honorable Joseph Anderson, relative to the rejection of the proposed compact between the United States, North-Carolina and this state, which was read and referred to the committee who have the land business under consideration.

A bill making good the registration of all deeds registered by William Wilson, deputy of James Stinson, register of

Greene county, was read the third and last time, passed, and sent to the senate.

A bill appointing one commissioner from each county in the district of Washington, for the purpose of searching the records of the clerk's office of the superior court of law in that district, &c. was ordered to lie on the table for 3 days.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, October 2d, 1805.

The house met according to adjournment.

Mr. James Scott returned a bill directing the mode of ascertaining the bounds of improvement and occupant claims south of the rivers French Broad and Holston, between the rivers Big Pigeon and Tennessee, &c. which was read the second time, amended, passed, and sent to the senate.

Mr. Rentfro introduced a bill for the regulation of the town of Tazewell, in the county of Claiborne, which was read the first time, passed, and sent to the senate.

Mr. Kennedy introduced a bill to exempt a certain society of people called dunkards, principally residing in the county of Washington, from serving on juries, which was read the first time, passed, and sent to the senate.

Mr. Russell called up the bill to compel the justices of the different counties in this state, to keep all the judgments they render in their possession, &c. which was withdrawn by Mr. Kennedy for amendment.

Received from the senate a message proposing an amendment to the bill to amend an act passed at Knoxville, November 13th, 1801, authorising the inhabitants of the lower end of Sullivan county, to hold separate elections, the message and amendment being read was concurred with, and Messrs. John Scott and Tipton sent to see the same made.

A bill concerning Moses Brown, was withdrawn by Mr. Porter for amendment.

A bill to compel registers to keep their records in well bound books, &c. was withdrawn by Mr. Nelson for amendment.

A bill authorising George Gordon to complete the mills

a building on Nolichucky river, was read the second time, and passed.

Received sundry engrossed bills, which were signed by the speaker and sent to the senate.

Mr. Tipton presented the petition of sundry inhabitants of Sullivan and Hawkins counties, praying a new county may be laid off, taken from the counties aforesaid, which was read and referred to the committee of propositions and grievances.

The house adjourned until to-morrow morning nine o'clock.

THURSDAY, October 3d, 1805.

The house met according to adjournment.

Mr. Nelson introduced a bill to amend an act, entitled, "an act to amend the law now in force and use in this state for selling lands under execution," passed October 26th, 1799, which was read the first time, passed, and sent to the senate.

Mr. John Scott from the committee of propositions and grievances, reported, that they had considered the petition of James Campbell, praying that he may be released from imprisonment, and had found the prayer of the said petition unreasonable, and ought not to be granted. The report being read, Resolved, that this house do not concur with the committee.

Mr. John Scott introduced a bill to repeal an act, entitled, "an act ascertaining the true line between the counties of Sullivan and Carter, which was read the first time, passed, and sent to the senate.

Sundry tax lists were referred to the committee of finance, and sent to the senate.

A bill appointing commissioners for the regulation of the town of Tazewell, in the county of Claiborne, was read the second time, passed, and sent to the senate.

A bill to exempt a society of people called dunkards, from serving on juries, was read the second time, amended, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. James Scott, Green,

Bunch, Russell, Kenner, Markland, Preston, Wynne, Chitt-
holm, White and Kennedy.

Those against it were, Messrs. Lillard, Perkins, Rent-
fro, Harmon, Nelson, Moore, Porter, John Scott, Tipton
and Bean.

Received from the senate a message informing this house
that they had added Mr. Gals to the committee of enroll-
ments, which was concurred with, and a message sent to
inform the senate.

A bill to define the duties of coroners, was ordered to lie
on the table until Monday.

Received from the senate the petition of sundry inhabi-
tants of Knox county, praying that a law may be passed
authorising Jeremiah Jack to erect a mill dam across a sluice
of French Broad river, which was read and referred to the
committee of propositions and grievances.

Also the petition of sundry inhabitants of Jackson, praying
a new county may be laid off by taking a part of Smith and
Jackson counties, which was read and referred as above.

Received from the senate the report of the committee
relative to the road from this state to the state of Georgia,
which was ordered to lie on the table.

A bill giving further time for proving and registering
grants, deeds, and for regulating conveyances, was read the
second time passed, and sent to the senate.

A bill for the relief of James Salmon, was read the first
time, passed, and sent to the senate.

A bill authorising George Gordon to complete the mills
he is building on Nolichucky river, was read the third and
last time, passed, and sent to the senate.

The house then adjourned until to-morrow morning nine
o'clock.

F R I D A Y, October 4th, 1835.

The house met according to adjournment.

A bill to compel the justices of the peace of the different
counties in this state, to keep all the judgments they render
in their possession, and for the regulation of the appoint-
ment of constables, was read the second time, amended,
passed, and sent to the senate.

Mr. John Scott from the committee of propositions and grievances, reported, that they had had the following petitions under consideration, and found the same reasonable:

The petition of sundry inhabitants of Davidson county, praying an erection of a new jail in the town of Nashville.

The petition of Benjamin J. Bradford, praying compensation for certain public printing.

The petition of sundry witnesses, praying compensation for their attendance on behalf of the state.

The petition of John Stump and John Harmon, praying the navigation of Smith's fork may be opened.

The petition of Walter Evans praying to be released from a forfeited recognizance.

The petition of Jeremiah Jack, praying leave to erect a certain mill dam therein mentioned.

The petition of sundry inhabitants of Carter, praying to hold musters and elections at a certain place therein mentioned.

The same gentleman also reported that they had found the following petitions unreasonable:

The petition of sundry persons, praying that Bays mountain may be the line between Hawkins and Greene counties.

The petition of sundry inhabitants of Sumner county, praying that the tax may be taken off billiard tables.

The petition of sundry inhabitants of Sullivan and Hawkins, praying a new county to be laid off.

Also, the petition of sundry inhabitants of Greene county, praying that constables may have further time to make their returns, and pay over monies by them collected.

The said reports being read, were concurred with.

Mr. Greer presented the petition of sundry inhabitants of Carter county, praying the legislature to take into consideration the nature of our land titles, which was referred to the committee who have under consideration the land business.

Also, the petition of sundry persons, praying the registers fees may be raised, which was read and referred to the committee of propositions and grievances.

Also, the petition of several persons of Carter county.

praying that they may not be re-added to the county of Sullivan, which was read and referred as above.

Mr. Porter called up the report of the committee to whom was referred the state of the road from this state to the state of Georgia ; the same being read,

Resolved, that this house do not concur with that part of the report of the committee, proposing that the contractor have further time of three months for completing the road from this state to the state of Georgia, and that a message go to inform the senate, which was sent.

A bill to release Walter Evans from a forfeited recognizance, was read the first time, passed, and sent to the senate.

A bill to repeal an act, entitled, " an act ascertaining the lines between the counties of Sullivan and Carter, was ordered to lie on the table for six days.

A bill authorizing each county in this state, when they think it expedient, to lay an additional tax, and appropriate the same to any county purpose, was ordered to lie on the table until Monday next.

A bill to amend the law relative to costs in criminal prosecutions, was withdrawn by Mr. Kennedy for amendment.

A bill explanatory of the law compelling merchants, pedlars and hawkers to pay a tax for the support of government, was read the first time and passed.

A bill to release James Stinson, Ewing Allison and David Russell, from the payment of a judgment recovered by the governor in behalf of the state, in the superior court of Hamilton district, was read the first time, passed, and sent to the senate.

Mr. Nelson returned a bill to compel registers to keep their records in well bound books, which was read the second time, passed, and sent to the senate.

A bill to repeal an act, entitled, " an act for the better security of the trial by jury, in the superior courts, was read the first time, passed and sent to the senate.

Mr. Rentiro presented the petition of sundry inhabitants of this state, praying that James Ore may have further time for completing a certain road therein mentioned, which was read and referred to the committee of propositions and grievances. The house adjourned until to-morrow 9 o'clock.

SATURDAY, October 5th, 1805.

The house met according to adjournment.

Mr. Potter returned a bill concerning Moses Brown, which was read the second time, amended, passed, and sent to the senate.

Mr. Markland introduced a bill to appoint additional commissioners for the regulation of the town of Burrville, which was read the first time, passed, and sent to the senate.

A bill to compel a certain description of citizens within this state, to work on public roads, in lieu of attending private and general musters, was read the first time, passed, and sent to the senate.

A bill to amend an act, entitled, "an act to amend the law relative to the levying of executions, and the service of certain other process, passed at Knoxville, November 10th, 1801, was read the first time, passed, and sent to the senate.

The house then adjourned until Monday morning nine o'clock.

MONDAY, October 7th, 1805.

The house met according to adjournment.

A bill to amend an act, entitled, "an act to amend the law now in force in this state for selling lands under execution, was withdrawn by Mr. Nelson for amendment.

A bill giving further time for proving and registering grants, deeds, and for regulating conveyances, was withdrawn by Mr. Kennedy for amendment.

Mr. Russell introduced a bill to regulate the medical faculty, and for the protection of afflicted and disordered persons, which was read the first time, passed, and sent to the senate.

Mr. Kennedy introduced a bill to authorise the judges of the superior courts of law and equity in this state, to hold the present term of the superior court of Hamilton district, for and during the term of eighteen juridical days, should it be necessary, which was read the first time, passed, and sent to the senate.

Received from the senate the petitions of sundry inhabitants of Smith county, praying that said county may be

reduced to its constitutional limits, and that a new county may be laid off by taking a part of said county and Jackson county ; also, praying that two new districts may be laid off in what is now Mero district, which were read and referred to the committee of propositions and grievances.

Also, the petition of Adam Peck, praying that he may be allowed further time to complete the road from this state to the state of Georgia, which was read and referred to the committee who have that business under consideration.

Amount of taxes collected by the register of Jefferson county, was referred to the committee of finance.

A bill to confirm a contract between the commissioners of the town of Greeneville and Valentine Sevier, agent for David Deaderick, was read the second time, amended, passed, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

T U E S D A Y, October 8th, 1805.

The house met according to adjournment.

Mr. John Scott presented a petition from sundry inhabitants of Sullivan county, praying that commissioners may be appointed to fix on a place for the public buildings of said county, which was read and referred to the committee of propositions and grievances.

The same gentleman presented the petition of sundry inhabitants of Sullivan county, praying a new county may be laid off, and that a part of Carter county, taken from Sullivan county at the last assembly, may be again added to the county of Sullivan, which was read and referred to the committee of propositions and grievances.

Mr. Greer presented the petition of sundry inhabitants of this state, praying that certain convicts may be restored to their former privileges, which was read and referred as above.

Mr. Russell introduced the following resolution which was read and adopted :

Resolved, that the Secretary of State be directed to make out the credentials of John Rhea, George W. Campbell,

and William Dixon, esquires, representatives from this state to the congress of the United States.

A bill respecting Moses Brown, was withdrawn by Mr. John Scott for amendment.

A bill for settling the bounds and titles for lands, and directing the mode of processioning, was read the first time, passed, and sent to the senate.

A bill to appoint additional commissioners for the town of Burrville, and for regulating the same, was read the second time, passed, and sent to the senate.

A bill to release Walter Evans from a forfeited recognizance, was read the 2d time, passed, and sent to the senate.

A bill to authorize Jeremiah Jack to erect a mill or mills and dam across French Broad river, was read the first time, passed, and sent to the senate.

A bill to release James Stinson, Ewing Allison and David Russell, from the payment of a judgment recovered against them by the governor in behalf of the state, in the superior court of Hamilton district, was ordered to lie on the table till Saturday.

A bill to suspend and repeal certain acts therein mentioned, was read the first time, passed, and sent to the senate.

A bill to regulate the medical faculty, and for the protection of afflicted and diseased persons, was read the second time. The question being put by yeas and nays, those who voted for the passage of the bill, were, Messrs. Perkins, Rensfro, Russell, Markland, Nelson, Wynne, Moore, White, Kennedy and Porter.

Against it, Messrs. James Scott, Greer, Lillard, Bunch, Harmon, Kenner, Preston, Chisholm, John Scott and Tipton. The house being equally divided, the Speaker gave the casting vote in favor of the passage of the bill, which passed accordingly, and was sent to the senate.

Mr. Kenner presented the petition of Jackson Smith, praying that the dividing line between the counties of Grainger and Hawkins, may be so altered as to include the petitioner in the county of Grainger, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Received from the senate a message proposing that Moses

Mr. Elquire, lay before this assembly the revival of the laws in force in this state, which was read and concurred with, and a message sent to inform the senate.

Received from the senate the following report of the committee of finance:

The committee of finance upon settling the accounts of Thomas Crutcher, esquire, treasurer of the district of Mero, respectfully report,

That they find him chargeable with the sum of fourteen thousand four hundred and two dollars and seventy-five cents, being the amount of revenue in the said district for the years 1803 and 1804, and that the said treasurer has produced warrants, drafts, &c. chargeable on the public taxes, to the amount of nine thousand six hundred and ninety-six dollars and seventy-eight cents, for which sum he is entitled to a credit; also, that he is entitled to a credit of three per cent. on the whole amount of revenue of said district, for the years 1803 and 1804; likewise, a credit for the clerks, sheriffs and registers commissions, on the amount of money by them collected.

To amount of public revenue of Mero district, for the years 1803 and 1804, for which the treasurer of said district is chargeable,	D. C. 14402 75
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By amount of warrants, drafts, &c. taken up and produced by said treasurer, for which he is entitled to credit,	9696 78
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By amount of clerks and registers com- missions on D. 3195 94 3-4 cents,	79 82
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By amount of sheriffs commissions on D. 11206 80 3-4 cents,	672 40 3-4
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By amount of treasurer's commissions on the whole amount of the public re- venue for said district,	432 08 3-4
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By a receipt from the treasurer of Washington and Hamilton districts,	1330
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By amount allowed treasurer for sta- tionary,	10
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D. 12221 91-2

Balance due from the treasurer to the state, 2181 65

The committee beg leave further to report, that the treasurer has obtained judgments for the sum of one thousand six hundred and two dollars ninety-eight and three-fourth cents, which forms part of the two thousand one hundred and eighty-one dollars and sixty-five cents, to wit :

A judgment against James Menees, sheriff and collector of Robertson county, for the year 1803, for the sum of four hundred and fifty five dollars twenty-seven & one half cents.

A judgment against Benjamin Menees, sheriff and collector of Robertson county, for the year 1804, for the sum of three hundred and thirty four dollars and twenty-eight cents.

A judgment against Robert Weakley, sheriff and collector of Dickson county, for the year 1804, for the sum of two hundred and fifty-eight dollars sixty-nine and one half cents.

A judgment against Benjamin Totton, sheriff and collector of Jackson county, for the year 1804, for the sum of five hundred and forty-four dollars and seventy-three cents, the amount of which judgments have not yet been collected.

The committee further report, that on making the aforesaid settlement, it appeared that the following officers failed to make the following returns for the following years, to wit :

The clerk of Jackson county made no return of the amount of taxes collected on law process, &c. for the year 1803..

The clerk of Robertson county made no return of taxable property for the year 1804.

The clerk of Sumner county made no return of the amount of taxes collected on law process, &c. for the year 1803.

The register of Dickson county made no return of the amount of taxes collected on grants, &c. for the year 1804.

The register of Jackson county made no return of taxes collected on grants, &c. for the year 1804.

The register of Montgomery county made no return of the amount of taxes collected on grants, &c. for the year 1803.

The register of Wilson county made no return of the a-

amount of taxes collected on grants, &c. for the years 1803 and 1804.

In consequence of which failures, the committee were obliged to settle according to the certificates returned to the treasurer, or make no final settlement: and that the register of Robertson county made no return to the treasurer, as he the said treasurer informs, this committee, neither for the year 1803 or 1804, and that he has not received any money from him the said register, for the years aforesaid.

The committee also report, that the said treasurer produced receipts of General James Robertson to the amount of two hundred and sixty dollars, money by him paid in conformity to the particular request of his excellency the governor, in order to defray the necessary expences of the said James Robertson and his excellency, while attending a treaty with the Cherokee nation of Indians in conformity to a resolution of the general assembly, which sum, the committee did not think themselves authorized by law to allow the treasurer in the aforesaid settlement, but are of opinion that a law ought to be passed authorising the payment thereof.

(Signed)

JOHN GASS, Chairman.

The foregoing report being read, resolved, that this house do concur therewith.

Mr. Rentfro presented the petition of sundry inhabitants of Claiborne county, praying that the governor may be authorized by law to offer a reward for the apprehension of a certain person named in said petition, for the crime of murder, which was read and referred to the committee of propositions and grievances.

A bill to confirm a contract between the commissioners of the town of Greeneville and Valentine Sevier, agent of David Deaderick, was read the third and last time, passed, and sent to the senate.

A bill for the relief of James Salmon, was withdrawn by Mr. Wynne for amendment.

Received from the senate the petitions of sundry inhabitants of Smith and Jackson counties, praying that Smith county may be reduced to its constitutional limits, and that

a new county may be laid off by taking a part of each of said counties, which were read and referred to the committee of propositions and grievances.

A bill to authorize the judges of the superior courts of law and equity in this state, to hold the present term of the superior court of Hamilton district, eighteen juridical days if necessary, was read the second time, passed, and sent to the senate.

Mr. Tipton introduced a bill to repeal so much of an act, entitled, "an act passed at Knoxville, the 26th November, 1799, as respects horse racing," which was read the first time, passed, and sent to the senate.

Mr. Kennedy returned a bill declaring a certain time therein mentioned for the purpose of fixing the seat of government in the county of Knox and town of Knoxville, which was ordered to lie on the table until Monday next.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, October 9th, 1805.

The house met according to adjournment.

Mr. Tipton had leave of absence until to-morrow.

Received from the senate a message proposing an amendment to the bill confirming a contract between the commissioners of the town of Greeneville and Valentine Sevier, agent of David Deaderick, which was read and concurred with, and Messrs. Russell and Perkins sent to see the amendment made.

Mr. John Scott returned a bill respecting Moses Brown, which was read the third and last time, amended, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill, were, Messrs. James Scott, Perkins, Russell, Kenner, Markland, Nelson, Wynne, Moore and John Scott.

Against it, Messrs. Greer, Lillard, Bunch, Harmon, Preston, White and Kennedy.

Sundry engrossed bills were returned, signed by the speaker, and sent to the senate.

Received from the senate the petition of sundry inhabitants, praying a repeal of the law annexing part of Smith county to the county of Wilton, which was read and referred to the committee of propositions and grievances.

Received from the senate a message accompanied by Mr. B. G.'s revival of the laws, which was ordered to lie on the table.

A bill to authorize the judges of the superior courts of law and equity in this state, to hold the present term of the superior court of Hamilton district, for and during the term of eighteen juridical days, if necessary, was read the third and last time, amended, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill, were, Messrs: Greer, Lillard, White, Kentfro, Russell, Harmon, Kenner, Markland, Preston, Nelson, W. W. Moore, Chisholm, and Kennedy.

Against it, Messrs. James Scott, Perkins, Bunch, Porter, and John Scott.

Mr. Wynne returned a bill for the relief of James Salmon, which was read the second time, amended, passed, and sent to the senate.

A bill to establish an academy in the district of Mero, and for other purposes, was read the first time, passed, and sent to the senate.

A bill appointing additional commissioners to the town of Burrville, and for the regulation of the same, was read the third and last time, passed, and sent to the senate.

Mr. White introduced a bill respecting the court of pleas and quarter sessions for the county of Davidson, which was read the first time, passed, and sent to the senate.

A bill declaring what tax pedlars and hawkers are subject to pay in this state, was read the first time, passed, and sent to the senate.

A bill for dividing the district of Mero into three separate judicial districts, was read the first time, passed, and sent to the senate.

A bill to repeal an act respecting horse racing, was ordered to lie on the table.

A bill appointing commissioners for the regulation of the town of Tazewell, in the county of Claiborne, was

read the third and last time, passed, and sent to the senate.

Mr. James Scott had leave of absence until Monday next.

Mr. Wynne presented the petition of sundry inhabitants of the district of Mero, praying that indigent plaintiffs may not be compelled to give security for the prosecution of their suits, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Also, the petition of sundry inhabitants of Mero district, praying that a law may be passed for processioning of land, which was read and referred as above.

Mr. Greer introduced a bill to alter the place of holding general masters and elections in the eastern end of Carter county, which was read the first time, passed, and sent to the senate.

Received from the senate a message proposing to amend the bill for lengthening the time of the present term of the superior court, which was read and not concurred with, and a message sent to inform the senate.

A bill to release Walter Evans from a forfeited recognizance, was read the third and last time, passed, and sent to the senate.

The house adjourned until to-morrow nine o'clock.

T H U R S D A Y, October 10th, 1895.

The house met according to adjournment.

Mr. John Scott from the committee of propositions and grievances made the following report, to wit :

That the committee had considered the petition of sundry inhabitants of Mero district, praying that a processioning law may be passed ; also, the petition of sundry inhabitants of Claiborne county, praying that the executive be authorized to offer a reward for a certain murderer ; also, the petition of sundry inhabitants of Smith and Jackson counties, praying that Smith county may be reduced to its constitutional limits, and that a new county may be laid off by taking a part of Jackson and Smith counties, and two new districts may be laid off in the district of Mero, and that the committee had found the prayers of said petitions reasonable.

The reports being read was concurred with.

The same gentleman reported, that the committee had considered the petition of Jackson Smith, praying that he may be added to the county of Grainger; also, the petition of sundry inhabitants of Mero district, praying that indigent persons may bring suits without giving security for costs; also, the petition of sundry inhabitants of Wilson county, praying that the law passed to ascertain the boundary lines of said county may be repealed, and had found the prayers of said petitions unreasonable.

The reports being read was concurred with.

The same gentleman reported, that they had considered the petition of sundry inhabitants of Carter county, praying that certain convicts may be restored to the privileges of citizens, and had found the same reasonable.

The report of the committee being read, resolved, that this house do not concur with the committee. The yeas and nays being called for, those who voted for concurring with the committee, were, Messrs. Greer, John Scott, Kennedy and Harmon.

Against it, Messrs. Lillard, Perkins, Bunch, Rentfro, Russell, Kenner, Markland, Preston, Wynne, Moore, Chisholm, Porter, White and Tipton.

A bill to establish an academy in the district of Mero, and for other purposes, was read the second time, passed, and sent to the senate.

A bill to repeal so much of an act of the general assembly of this state, entitled, "an act to suppress excessive gaming," passed in Knoxville, the 26th October, 1799, as respects horse racing, was read the second time, amended, passed, and sent to the senate.

A bill to suspend certain acts therein mentioned, was read the second time, passed, and sent to the senate.

A bill for the relief of George Salmon, was ordered to lie on the table.

A bill to authorize Jeremiah Jack to erect a mill or mills on French Broad river, was read the second time, passed, and sent to the senate.

A bill to release James Stinson, Ewen Allison, and David Russell, from the payment of a judgment recovered a-

gainst them by the governor in behalf of the state, was read the second time, passed, and sent to the senate.

Mr. Markland introduced a bill to exempt certain persons from serving on juries, which was read the first time, passed, and sent to the senate.

A bill, respecting the court of pleas and quarter sessions of the county of Davidson, was read the second time, passed, and sent to the senate.

A bill appointing one commissioner from each county in the district of Washington, for the purpose of searching the records of the clerk's office of the superior court of law in said district, &c. was withdrawn by Mr. Russell for amendment.

A bill for the better regulation of the county courts, was read the first time, passed, and sent to the senate.

A bill to repeal part of the sixtieth section of an act, entitled, "an act for regulating the proceedings of the courts of equity," and for amendment of the law passed at Knoxville, November 2, 1801, was read the first time, passed, and sent to the senate.

A bill reducing into one, the several acts concerning the fees of the several clerks and sheriffs of this state, was read the first time, passed, and sent to the senate.

Mr. Tipton introduced a bill to compel defendants against whom actions are brought for the recovery of penalties on penal statutes, to give bond, which was read the first time, passed, and sent to the senate.

A bill giving further time for recording grants, deeds, &c. was withdrawn by Mr. Porter for amendment.

A bill appointing commissioners for the purpose of keeping in repair a certain road therein mentioned, was read the second time, passed, and sent to the senate.

A bill to suspend an act, entitled, "an act appointing commissioners to fix on the most eligible place for the seat of justice in Rutherford county," passed, August the third 1804, was read the third and last time, and rejected.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. Perkins, Rentfro, Wynne, Chisholm and John Scott.

Those who voted against it were, Messrs. Greer, Lillard,

Bunch, Russell, Harmon, Kenner, Preston, Nelson, Moore, Porter, White, Tipton and Kennedy.

The house then adjourned until to-morrow morning nine o'clock.

F R I D A Y, October 11th, 1805.

The house met according to adjournment.

A bill to authorise Jeremiah Jack to erect a mill or mills and dam across French Broad river, was read the third and last time, passed, and ordered to be engrossed.

A bill to alter the place of holding elections and general musters in the eastern end of Carter county, was read the second time, passed, and sent to the senate.

A bill to establish an academy in the district of Mero, and for other purposes, was read the third and last time, passed, and ordered to be engrossed.

A bill to suspend certain acts therein mentioned, was read the third and last time, passed, and ordered to be engrossed.

A bill to exempt certain persons from serving on juries, was read the second time, passed, and sent to the senate.

A bill to repeal a part of the 6th section of an act, entitled, "an act to regulate the proceedings of the courts of equity, and for amendment of the law passed at Knoxville November the 2d, 1801, was read the second time, passed, and sent to the senate.

A bill to compel defendants against whom actions are brought for the recovery of the penalty for the breach of any penal statute, to give bail as in other cases, was read the second time, passed, and sent to the senate.

A bill appointing commissioners for the purpose of keeping in repair certain roads therein mentioned, was withdrawn by Mr. Kennedy for amendment.

Mr. Kennedy introduced the following resolution :

Resolved, that the committee of finance be instructed to call on the late treasurer of Washington and Hamilton districts, for a final settlement of his accounts ; and also that the secretary of state be called on to account for all money he may have received for the use of the state, by virtue of an act, entitled, "an act to authorise the governor to pro-

were certain documents therein mentioned," and that they make a report thereof to this general assembly, which being read, resolved, that this house do concur therewith.

Mr. Nelson returned a bill to amend an act, entitled, "an act to amend the law now in force in this state for selling land under execution, which was withdrawn by Mr. Kennedy for amendment.

Mr. Preston introduced a bill to ascertain and regulate the justices fees in the several counties in this state, which was read the first time, passed, and sent to the senate.

Mr. Kenner introduced a bill to establish the true line between the counties of Greene and Hawkins, which was read the first time, passed, and sent to the senate.

Mr. Bunch presented the petition of sundry inhabitants of Grainger county, praying that the turnpike road leading from Bean's Station to Sycamore creek, may remain a longer time in the hands of the present undertaker, which was read and referred to the committee who have under consideration the turnpike roads of this state.

Mr. Rentfro presented the petition of sundry inhabitants of Grainger county, remonstrating against the division of Washington and Hamilton districts, which was read and referred to the committee of propositions and grievances.

The house then adjourned until to-morrow morning nine o'clock.

SATURDAY, October 12th, 1805.

The house met according to adjournment.

The honorable Robert C. Foster, speaker, being indisposed, the house proceeded to ballot for a speaker pro tempore, and after some time spent therein, Mr. Markland from the committee appointed to superintend the balloting, reported, that the honorable William Lillard was unanimously chosen, who was conducted to the chair accordingly; a message was then sent to inform the senate.

Mr. John Scott from the committee of propositions and grievances, reported, that the committee had considered the petition of sundry inhabitants of Grainger county, praying that there may be no additional district laid off from the districts of Washington and Hamilton; also, the petition

of sundry inhabitants of this state, praying that the registers fees may be raised ; also, the petition of sundry inhabitants of Carter county, praying that the law annexing part of Sullivan county to Carter county may not be repealed, and had found the prayers of said petitions reasonable.

The said reports being read was concurred with.

The same gentleman also reported, that the committee had considered the petition of sundry inhabitants of Sullivan county, praying that a law annexing part of Sullivan county to Carter county may be repealed ; also, praying that a new county may be laid off by taking a part of Sullivan and Hawkins counties, and that they had found the prayer of said petitions unreasonable.

The report being read was concurred with.

Received from the senate a message concurring with the amendment proposed by this house to the bill giving further time for proving and registering deeds, grants, and for the regulation of conveyances, and informing them that they had sent Messrs. Maury and Jack, to see the said amendment made. The said bill was amended, read the third and last time, passed, and ordered to be engrossed.

Received from the senate a message proposing that certain instructions be given to John B. Hood, Hugh Dunlap and John Lavender, relative to the public printing, was read and non-concurred.

Mr. Porter introduced the following resolution, which was read and agreed to :

Resolved, that John B. Hood, Hugh Dunlap and John Lavender, be notified to appear on Monday next, to comply with their contract relative to the public printing.

Ordered, that a message go to inform the senate, which was sent accordingly.

A bill to authorize actions of ejectment south of French Broad and Holston, was withdrawn by Mr. Porter for amendment.

A bill to compel defendants against whom actions are brought for the recovery of the penalty for the breach of any penal statute, to give bail as in other cases, was read the third and last time, passed, and sent to the senate.

A bill to exempt certain persons from serving on juries,

was read the third and last time, passed and sent to the senate.

A bill to repeal part of the sixtieth section of an act, entitled, "an act to regulate the proceedings of the court of equity," and for amendment of the law, passed at Knoxville, November 2d, 1801, was read the third and last time, passed, and ordered to be engrossed.

Mr. Perkins introduced a bill to impose a tax on slaves brought into this state as merchandize, which was read the first time, passed, and sent to the senate.

Ordered that a message go to inform the senate, that this house concur with them in referring the revival of the laws of this state by Moses Fisk, esquire, to a committee to examine the same, and report thereon, and that this house have appointed Messrs. Porter, Russell, Kennedy, and White to act with the gentlemen appointed on the part of the senate, which message was sent accordingly.

The house adjourned until Monday morning nine o'clock.

MONDAY, October 14th, 1805.

The house met according to adjournment.

Mr. Rentfro introduced a bill to authorize the governor to offer a reward for apprehending John Gast, which was read the first time, passed, and sent to the senate.

Mr. Kennedy introduced the following resolution, which was adopted, and sent to the senate :

Resolved, that no member shall be at liberty to introduce a bill after Monday next, for the purpose of having the same passed into a law.

A bill to repeal an act, entitled, "an act to ascertain the true line between the counties of Sullivan and Carter," was read the second time, passed, and sent to the senate.

A bill to regulate the medical faculty, &c. was withdrawn by Mr. Russell for amendment.

A bill for the relief of George Wallace, was read the third and last time, amended, passed and sent to the senate.

A bill for building, maintaining and repairing court-houses, &c. was withdrawn by Mr. Porter for amendment.

A bill to repeal so much of an act of the general assembly of this state, entitled, "an act to suppress excessive gaming," as respects horse racing, was read the third and last time, passed and sent to the senate. The yeas and nays being

called for, those who voted for the passage of the bill, were, Messrs. Greer, Kenner, Preston, Nelson, Moore, Porter, White, John Scott, Tipton and Kennedy.

Against it, Messrs. James Scott, Perkins, Rentfro, Russell, Harmon, Wynne and Chisholm.

A bill to release James Stinson, Ewen Allison and David Russell, from the payment of a judgment recovered by the governor in behalf of the state, in the superior court of Hamilton district, except as to the sum really due to the state, was read the third and last time, passed, and ordered to be engrossed.

Mr. Kennedy returned a bill appointing commissioners for the purpose of keeping in repair a certain road therein mentioned, was read the second time, amended, passed, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

T U E S D A Y, October 15th, 1805.

The house met according to adjournment.

Mr. Porter returned a bill authorising actions of ejectment south of French Broad and Holston, which was read the second time, amended, passed, and sent to the senate.

Mr. John Scott from the committee of propositions and grievances reported; that the committee had considered the proposal of Robert Williams to this legislature, for subscribing for his revival of the private acts of North-Carolina, and found said proposal inexpedient. The report being read was concurred with.

Mr. Kennedy returned a bill to amend the law now in force for selling land under execution; Mr. Russell moved to amend the first section of said bill so as to confine the advertisements of lands to be sold for taxes to be published by the public printer, which was agreed to. The yeas and nays being called for, those who voted for the amendment, were, Messrs. James Scott, Perkins, Bunch, Russell, Harmon, Kenner, Nelson, Wynne, Moore, Porter and White.

Against it Messrs. Greer, Rentfro, Markland, Preston, Chisholm, John Scott, Tipton and Kennedy.

The bill was then read a second time, passed as amended, and sent to the senate.

Mr. Chisholm introduced a bill concerning Henry Tolley, which was read the first time, passed, and sent to the senate.

A bill to reduce Smith county to its constitutional limits, was read the first time passed, and sent to the senate.

A bill to establish the true line between the counties of Greene and Hawkins, was read the second time and passed.

A bill respecting holding elections, &c in Carter county, was withdrawn by Mr. Greer for amendment.

A bill to impose a tax on slaves brought into this state as merchandize, was withdrawn by Mr. White for amendment.

Mr. Chisholm introduced a bill concerning jurors in Jackson and Stewart counties, which was read the first time, passed and sent to the senate.

A bill to repeal an act, entitled, "an act for the better security of the trial by jury, in the superior courts," was withdrawn by Mr. Porter for amendment.

A bill concerning juries, was read the second time, passed, and sent to the senate.

A bill concerning merchants, pedlars, &c. was read the second time, amended, passed, and sent to the senate.

Ordered, that Messrs. Russell, Porter and White, be a committee to enquire into the present fees of clerks, sheriffs, &c. and make report to this house.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, October 16th, 1805.

The house met according to adjournment.

A bill for the relief of James Salmon, was read the third and last time, and rejected.

A bill to restore William Willson and Samuel Willson, to their former privileges, was withdrawn by Mr. Greer for amendment.

A bill to authorize the governor to offer a reward for the apprehension of John Galt, was read the second time, amended, passed, and sent to the senate.

Mr. Tipton introduced a bill to repeal part of an act, entitled, "an act to establish a treasury department, and to ascertain the salary of the treasurers, was read the first time, passed, and sent to the senate.

A bill to regulate the medical faculty, was withdrawn by Mr. Kennedy for amendment.

Received from the senate a message proposing an amendment to a bill for the relief of George Wallace, which was read and rejected, and a message sent to inform the senate.

Received from the senate the following report of the committee of finance, which was read and concurred with, and ordered to be entered on the journal :

The committee of finance report, that they have settled the accounts of Thomas McCorry, esquire, treasurer for Washington and Hamilton districts, and find him chargeable with fourteen thousand and thirty-two dollars forty-six and one half cents, it being the amount of revenue by him collected for the years one thousand eight hundred and three and one thousand eight hundred and four ; and also the further sum of one thousand three hundred and thirty dollars, received from the treasurer of Mero district, making in all fifteen thousand three hundred and six-two dollars fifty-six and one half cents ; and that the said Thomas McCorry has taken up warrants, drafts, &c. chargeable on the public taxes, to the amount of fourteen thousand four hundred and eighty-two dollars forty five cents, including treasurers, collectors, clerks, and registers commissions, and that there is eight hundred and fifty dollars and one half cent remaining in the treasury.

That there are balances to the amount of five hundred and fifty-six dollars and thirty-six cents due to the treasury from the collectors of Blount and Carter counties, for the year one thousand eight hundred and four, and for which the treasurer has obtained judgments, as it appears by the certificate of the clerk ; and that Richard Mitchell, clerk of Hawkins county, has not yet settled his account for the taxes by him collected on law process, for the year one thousand eight hundred and four.

Amount of revenue collected for the years 1803 and 1804, and paid into the treasury, } 14032 46 1-2
 Amount received from the treasurer of Mero district, } 1330

15362 46 1-2

Amount of warrants, drafts, &c. chargeable on the public taxes, & taken up, } 13431 78 1-4

Amount of treasurer's commissions on D. 14032 46 1-2 cents, at 3 per cent. } 420 97 1-4

Amount of collectors' commissions, &c. 531 66 1-2

Amount of clerks' commissions, &c. 86 44 1-3

Amount of registers' commissions, &c. 11 58 3-4

Amount allowed the treasurer for a trunk, book, and sundry articles of stationary, } 30

Amount of specie now in the treasury, 850 01 1-2

15362 46 1-2

00000 00 00

That the clerks of the counties of Washington, Sullivan, and Sevier, have made no return of taxes by them collected for the year one thousand eight hundred and four; that the registers of the counties of Grainger, Sullivan, Cocke, Carter and Claiborne, made no return of taxes by them collected for the said year one thousand eight hundred and four; on account of which failures the committee have thought proper to settle according to the certificates returned by the treasurer.

Signed by

JOHN GASS, Ch. C.

Mr. Kennedy introduced the following resolution, which was read, adopted, and sent to the senate for their concurrence :

Resolved, that the committee of finance be directed to examine the laws on the subject of the revenue, and report by bill or otherwise, the proper steps to be taken against the

clerks and registers who have made no return of the tax lists according to law.

A bill for the regulation of registers offices, &c. was ordered to lie on the table.

A bill to authorize actions of ejectment and trespass south of French Broad and Holston, was withdrawn by Mr. Kennedy for amendment.

A bill for settling the bounds and titles for lands, and directing the mode of precessioning, was withdrawn by Mr. Perkins for amendment.

Mr. Porter introduced a bill compelling the public printers of this state to give security, which was read the first time passed, and sent to the senate.

Mr. Porter returned a bill authorizing each county court in this state, when they think it expedient, to lay an additional county tax, and to appropriate the same to any county purposes they may think necessary, with an amendment, which was read and received. Mr. Kennedy then moved the following amendment, "provided, that nothing herein contained shall be so construed as to affect the county of Washington." The amendment offered by Mr. Kennedy being read, was agreed to. The yeas and nays being called for, those who voted for receiving the amendment were, Messrs. Greer, Lillard, Perkins, Rentfro, Konner, Markland, Preston, Nelson, Wynne, Chisholm, Porter, John Scott, and Kennedy.

Against it, Messrs. James Scott, Russell, Harmon, Moore, White and Tipton.

Mr. Wynne then had leave to withdraw the bill for amendment.

Sundry engrossed bills were returned, signed by the speaker, and sent to the senate.

A bill appointing additional commissioners for the regulation of the town of Kingston, in the county of Roane, and for other purposes, was read the third and last time, passed, and ordered to be engrossed.

A bill concerning Adam Peck, was read the first time, passed, and sent to the senate.

A bill to reduce South county to its constitutional limits, was read the first time, passed, and sent to the senate.

A bill concerning jurors in Jackson and Stewart counties, was read the second time, passed, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

T H U R S D A Y, October 17th, 1805.

House met according to adjournment.

Mr. Kennedy returned a bill to authorize actions of ejectment and trespass south of French Broad and Holston, which being read the third and last time, Mr. Kennedy proposed amending the same, by inserting in the first line of the second section, after the words "of trespass," the words "on the case," and in the fourth line of said section, the word "trespass," after the words "actions of," which amendment was adopted, and a message was sent to the senate informing them thereof, and requiring their concurrence therewith.

Received from the senate a message concurring with the above amendment, and informing this house that the senate had sent Messrs. Wilkinson and Manry, to see the amendment made. The bill was accordingly amended, passed, and ordered to be engrossed.

Mr. Perkins returned a bill settling the bounds and titles of lands, and directing the mode of processioning, which was read the third and last time and rejected.

The ayes and noes being called for, those who voted for the passage of the bill, were, Messrs. Lillard, Perkins, Nelson Wynne, Moore, Chisholm, Porter and White.

Those who voted in the negative, were, Messrs. James Scott, Greer, Rentfro, Russell, Harmon, Kenner, Markland, Preston, John Scott, Tipton and Kennedy.

Received from the senate a message notifying this house of their concurrence with the resolution adopted by this house, directing the committee of finance to examine and report on the laws relative to the revenue of this state.

Mr. Perkins introduced a bill respecting the treasurer of the district, which was read the first time, passed, and sent to the senate.

Mr. White returned a bill imposing a tax on all slaves

brought into this state as merchandize, which was read the second time, and rejected.

The ayes and noes being called for, those who voted for the passage of the bill, were; Messrs. Russell, Perkins, Chisholm, Porter and White.

Those who voted against the passage of the bill, were, Messrs. James Scott, Greer, Lillard, Rentfro, Harmon, Kenner, Markland, Preston, Nelson, Wynne, Moore, John Scott, Tipton and Kennedy.

Mr. Nelson returned a bill for dividing the district of Merro into three separate judicial districts, which was read the second time, passed, and sent to the senate.

Mr. Markland introduced a bill to amend part of an act, entitled, "an act to regulate the descents of real estates, to do away entails, and to make provision for widows, &c." which was read the first time, passed, and sent to the senate.

A bill concerning the court of pleas and quarter sessions, in the county of Davidson, was read the third and last time, passed, and sent to the senate.

Mr. Greer returned a bill to alter the place of holding general musters and elections in the eastern end of Carter county, which was read the third and last time, amended, passed, and sent to the senate.

A bill to ascertain and regulate the justices fees in the several counties in this state, was taken up, read the second time, and rejected.

The ayes and nays being called for, those who voted for the passage of the bill were, Messrs. James Scott, Rentfro, Russell, Harmon, Preston, Nelson and John Scott.

Those who voted against the passage of the bill, were, Messrs. Greer, Lillard, Perkins, Kenner, Markland, Wynne, Moore, White, Tipton and Kennedy.

A bill to authorize the governor for the time being, to offer a reasonable reward for the apprehension of any person or persons who may have committed any flagitious crime, was read the third and last time, amended, passed, and sent to the senate.

Mr. Rentfro moved for, and obtained leave of absence for Mr. Bunch, on account of sickness.

A bill to repeal an act, entitled, "an act to establish the

treasury department, and to ascertain the salary of the treasurers," was withdrawn by M. Kennedy for amendment.

Received from the senate an additional return of the enumeration for Smith county, and proposing to refer the same to the committee appointed to fix the representation of this state; which being read, resolved, that this house do not concur therewith.

The house then adjourned until to-morrow morning nine o'clock.

F R I D A Y, October 18th, 1805.

The house met according to adjournment.

Mr. Kennedy returned a bill to regulate the medical faculty, and for the protection of afflicted and diseased persons, without amendment, which was read the third and last time, and rejected.

The ayes and noes being called for, those who voted for the passage of the bill, were, Messrs. Perkins, Russell, Markland, Nelson, Wynne, Moore, Porter and White.

Those who voted against it, were, Messrs. James Scott, Greer, Rentfro, Kenner, Preston, Chisholm, John Scott, Tipton, Kennedy, and Lillard.

Mr. Kennedy filed his reasons for voting against the bill, in the following words:

The reasons why I vote against the bill, is, that in its effect it might have a tendency to prevent skilful persons who might not be covered by the provisions of the bill, from administering relief, and receiving compensation for their services, by which means many of the poor persons in this country might be prevented from having relief administered to them which might be beneficial.

2d. That to compel the judges of the superior courts, to judge of the qualifications of physicians, is imposing duties not contemplated by the constitution and laws heretofore made; and duties, to the performance of which, without the knowledge of physic and medicine, they cannot be competent, and for which duties they are to receive no compensation.

3d. That the bill contemplates persons who want to cure specific diseases, to apply for licence to the county.

courts, which is in my opinion wrong; and any person applying, who can cure specific diseases, must have resided in the county twelve months before the passage of the act; whereas useful persons coming here after the passage of this act, must reside twelve months before the county courts can licence any person to cure any diseases they may profess to cure; and further, an action at common law lies against a physician or surgeon who either through ignorance, or for the sake of experiment, injures a person in health, or constitution, and which in my opinion is a sufficient security for the people against any danger to be apprehended from quacks or imposters. (Signed) JOHN KENNEDY.

Mr. Russell filed his reasons for voting for the passage of the bill, in the following words:

I voted for the passage of the bill because it made ample provision for the protection of poor and diseased persons, in requiring of each person coming from any other government into this state, to produce to some judge, credentials, or satisfactory evidence, of his having been admitted or qualified to practice physic, and not to be examined by such judge on his knowledge of medicine; but in case his papers might not prove satisfactory, such judge was required by the bill to convene three literary characters, one of whom at least, or all if practicable or convenient, to be of the profession of physic, and after being sworn, to proceed to examine the applicant on his qualifications, and licence him accordingly.

The bill further made provision, and by no means prohibited any person from exercising or extending to their fellow men, any offices of relief in their power without pay therefor, unless at the pleasure of the patient, and provided for all physicians of every description that have resided in this state for twelve months, and found useful to exercise the same privileges as heretofore, and no person prohibited from bringing and selling medicine as formerly. The whole object of the bill being intended for the security of the good citizens, and to guard against the impositions of imposters, coming from foreign countries. I felt myself bound to support the bill.

(Signed) JOHN RUSSELL.

Mr. Greer returned a bill to repeal an act, entitled, "an act to ascertain the true line between the counties of Sullivan and Carter," with the following amendment from the words, "A bill," "to ascertain the true line between the counties of Sullivan and Carter."

"Section 1. Be it enacted by the general assembly of the state of Tennessee, that the said line shall be as follows: Beginning near the first ford of Indian creek, above the widow Plumly's, and running thence on the north side of said creek, to the fork thereof on which George Neihaver lives; thence up said fork to the head thereof; thence a straight line to the top of the mountain; thence along the top of said mountain, and the left arm thereof, till it intersects the line run under the directions of an act passed August 4th, 1804, and with said line to the Virginia line, so as to include what is called the Beaver dam settlements.

"Sec. 2. Be it enacted, That a surveyor to run said line, be appointed by the county court of Sullivan, as well as such other persons as may be necessary, and the expence thereof shall be defrayed out of the treasury of Sullivan county," which was received.

The ayes and noes being called for, those who voted for receiving the amendment, were, Messrs. James Scott, Greer, Lillard, Perkins, Rentfro, Kenner, Wynne, Moore, Chisholm, John Scott and Kennedy.

Those who voted against the amendment, were, Messrs. Russell, Markland, Preston, Nelson, Porter, White and Tipton.

The bill was then read the third and last time, passed as amended, and sent to the senate.

The ayes and noes being called for, those who voted for the passage of the bill, were, Messrs. James Scott, Greer, Lillard, Perkins, Rentfro, Kenner, Wynne, Moore, Chisholm, John Scott, Tipton and Kennedy.

Those who voted against the bill, were, Messrs. Russell, Markland, Preston, Nelson, Porter and White.

Mr. Tipton filed his reasons for voting against Mr. Greer's amendment, in the following words:

My reasons for voting against the amendment, is as follows:

1st. Because it contemplates all the expense of running and extending the line between the two counties, to be paid by the county of Sullivan.

2d. Had the bill passed in its original shape, it would have taken all the territory that Carter by the before recited act had taken from Sullivan.

3d. Because there was more certainty that the bill would pass without the amendment, and as the original bill did not contemplate the expenses to be defrayed by the county of Sullivan, I thought it more to the interest of the people of Sullivan, that the bill should pass without the amendment, than with it.

(Signed)

JOHN TIPTON.

Mr. Russell returned a bill appointing one commissioner from each county composing the district of Washington, for the purpose of searching the records of the clerk's office of the superior court of law in said district, to see how, and in what manner the fines and forfeitures arising in the said court have been settled for and disbursed, with an amendment, which was not received. The bill was then read the second time, and rejected.

A bill compelling the public printer of this state to give bond and security for the performance of the contract by him entered into, was read the second time, amended, passed, and sent to the senate.

A bill concerning jurors in Jackson and Stewart counties, was read the third and last time, passed, and sent to the senate.

A bill respecting the treasurer of Mero district, was read the second time, passed, and sent to the senate.

A bill appointing commissioners for keeping in repair a certain road therein mentioned, was ordered to lie on the table until Monday next.

The house then adjourned until to-morrow morning nine o'clock.

S A T U R D A Y, October 19th, 1805.

The house met according to adjournment.

Mr. Wynne returned a bill to authorize each county court in this state, when they deem it necessary, to lay an addition

onal tax for the purpose of erecting public buildings, which was withdrawn by Mr. Perkins for amendment.

A bill concerning Henry Tooley, was read the second time, passed, and sent to the senate.

A bill defining the duties of coroners, was read the second time and rejected.

A bill concerning Adam Peck, was withdrawn by Mr. James Scott for amendment.

A bill to amend part of an act, entitled, "an act to regulate the descents of real estates, to do away entails, and to make provision for widows dower, was read the second time, and ordered to lie on the table until Tuesday next.

A bill to authorize the sheriffs of the different counties in this state, to take recognizances in certain cases, was read the first time, passed, and sent back to the senate.

Mr. Moore from the committee appointed to apportion the representation to the different counties in this state, made the following report :

The committee appointed to examine the returns of the enumeration of the taxable inhabitants of the several counties in this state, and to fix the ratio of representation, report, that they have examined the said returns which have been submitted to them for that purpose, and find that the following counties have made returns agreeably to the true intent and meaning of the law, to wit :

In the district of Washington,

Greene,	996
Carter,	550
Sullivan,	945
	2491

In the district of Hamilton,

Roane,	560
Granger,	932
Blount,	907
Anderson,	671
	3070

In the district of Mero,

Davidson,
Williamson,1855
1851

2926

That the returns from the counties of Hawkins, Washington, Claiborne, Cooke, Jefferson, Sevier, Knox, Montgomery, Jackson, Wilson, Sumner, Robertson, Smith, and Rutherford, have not been made according to law. That the counties of Dixon & Stewart have made no returns at all. That from the illegal and irregular manner in which the said counties of Hawkins, Washington, Claiborne, Cooke, Jefferson, Sevier, Knox, Montgomery, Jackson, Wilson, Sumner, Robertson, Smith and Rutherford, have made their returns, that the committee did not think themselves authorized to proceed to apportion the representation, which report being read, resolved, that this house concur therewith.

The ayes and noes being called for, those who voted for concurring with the report of the committee were, Messrs. James Scott, Greer, Rensfro, Porter, Preston, John Scott, Tipton, Kennedy, Markland, Russell and Lillard.

Those who voted against receiving the report of the committee, were, Messrs. Perkins, Kelner, Nelson, Wynn, Moore, Chisholm and White.

Mr. Moore filed his reasons for voting against concurring with the committee, in the following words:

As chairman of the committee for examining the return of the free taxable inhabitants, in order to the apportionment of the representatives among the different counties within this state, I conceived it to be my duty to sign and submit to the house the report as agreed upon by a majority of the committee, though at the same time I deem it my duty to enter my dissent on the journals, and shew the following reasons which in course of the arguments seemed to govern the minority. The committee rejected the returns from the counties of Hawkins and Washington, in the district of Washington; of Cooke, Claiborne, Knox, Jefferson and Sevier, in the district of Hamilton; and of all the counties in Mero district except Davidson and Williamson, upon the ground that the clerks of these counties had not return-

ed in detail the lists as returned to them by the sheriffs, but they did certify as usual the aggregate number, and forwarded the same to the secretary in the time prescribed by law. In my estimation, the word "list," in that case, signifies no more than a certificate of the number as returned to the clerk in detail, which also seems to have been the construction given by the legislature at various times: For instance, a detailed taxable list is directed to be returned to the clerks, a copy of which tax list they are to transmit to the general assembly. See Roulstone, page 33, sec. 3d. It is well known that the lists returned to the legislature are in the aggregate, yet no objection has ever been made on that ground. It further appears, that in the act directing the enumeration for the years 1797 and 1803, this construction was expressly given by the acts themselves; in those acts a list is directed to be returned to the clerks, the aggregate number of which is to be transmitted to the secretary's office, (as will be seen in the second section of each act) and in the third section of each act the aggregate number is called lists, which the secretary is directed to receive, &c.

Notwithstanding this rigid construction of the committee in that case, they admitted returns from Blount, Anderson, Greene and Carter, Sullivan and Williamson, to be legally made, when it appeared on the face of those returns, that they were made after the first day of September, the time prescribed by law, or that they shewed no date at all.

These facts, the minority were desirous to lay before the house, but were over-ruled by the majority who decided to report the legality of the returns, which in my opinion, should the report be concurred with by the two houses, it will go to disfranchise the counties of Hawkins, Washington, Cocke, Claiborne, Jefferson, Knox, Sevier, and all the counties in Meru except Davidson and Williamson, of their great constitutional rights of representation; and may also authorize the delinquent treasurers to plead the illegality of the returns made by which they stand charged; and further, as it dont appear that the returns are not true, and that the constitution means nothing but a just return made, so as to

get equal representation, and on that head we might proportion representation to save trouble and expence to the state.

Signed **WILLIAM MOORE.**

A bill respecting the treasurer of Mero district, was read the third and last time, passed, and sent to the senate.

Mr. Russell introduced a bill concerning minors subject to militia duty and to work on roads, which was read the first time, passed, and sent to the senate.

Received from the senate a message, proposing that John B. Hood, Hugh Dunlap and John Lavender, who undertook to do the printing of the present session of the legislature, be directed to publish one thousand copies, of the laws, which being read, resolved, that this house do concur therewith, and that a message go to the senate to inform them thereof, which was sent accordingly.

A bill to reduce Smith county to its constitutional limits, was read the third and last time, passed, and ordered to be engrossed.

A bill compelling the public printers of this state to give bond and security for the performance of the contract by each printer entered into, was withdrawn by Mr. Kennedy for amendment.

Mr. Russell introduced a bill to authorise judgments to be entered on all verdicts heretofore rendered in the several counties in this state, which was read the first time, passed, and sent to the senate.

Received from the senate sundry documents relative to Miller and Whitney's patent right to the saw-gin, and proposing to refer the same to a select committee, and that it consist on the part of that house of Messrs. Doherty, Douglass and King, which being read,

Resolved, that this house do concur therewith, and that Messrs. Lillard, White, Porter, Perkins, Greer and Wynne, be of the committee on the part of this house, to act with the gentlemen appointed by the senate.

Ordered, that a message go to the senate to inform them thereof, which was sent accordingly.

A bill to amend the judicial system of this state, was read the first time, passed, and sent back to the senate.

A bill to authorise Elizabeth Spurgin and George Webb,

administratrix and administrator of John Spurgin deceased, to sell certain lands for certain purposes therein mentioned, was read the second time, passed, and sent to the senate.

A bill directing the mode of ascertaining the bounds of improvement and occupant claims south of the rivers French Broad and Holston, and between the rivers Big Pigeon and Tennessee, and making the plats of such improvements when filed, evidence of their bounds, was read the third and last time, passed, and sent to the senate.

House adjourned until Monday morning nine o'clock.

MONDAY, October 21st, 1805.

The house met according to adjournment.

The petition of John Hackworth, praying to be released from a forfeited recognizance, was read and referred to the committee of propositions and grievances.

Mr. Kenner introduced the following resolution, which was rejected :

Resolved, that his excellency the governor be requested to attend the present treaty now pending at Tellico; between the United States and the Cherokee tribe of Indians, as a commissioner on the part of this state, for the purpose of protecting the rights of the citizens of this state, as far as it may be in his power, should their rights and interests come in collision with the United States or the Cherokee tribe, and that the secretary of state be directed immediately to make out a commission expressive of the foregoing views, and forward the same to his excellency.

The yeas and nays being called for, those who voted for adopting the resolution, were, Messrs. Greer, Lillard, Rutherford, Harmon, Kenner, Moore, Ghisbain and Kennedy.

Those who voted against it were, Messrs. James Scott, Perkins, Russell, Markland, Preston, Nelson, Wynne, White, John Scott, Tipton and Porter.

Mr. Kennedy had leave to withdraw for amendment the bill relative to the turnpike road from Bean's station to Sycamore creek in Claiborne county.

A bill concerning Henry Teoly, was read the third and last time, passed, and sent to the senate.

A bill to authorize the sheriffs in the different counties in this state to take recognizances, was read the second time, passed, and sent to the senate.

A bill to authorize judgments, to be entered on verdicts &c. was withdrawn by Mr. Russell for amendment.

A bill concerning minors subject to militia duty and to work on roads, was withdrawn by Mr. Russell for amendment.

A bill taking an enumeration of the free taxable inhabitants of this state, was read the first time and rejected.

The yeas and nays being called for, those who voted for the passing of the bill, were, Messrs. James Scott, Perkins, Nelson, Wynne, Moore, Chisholm, Porter and White.

Those who voted against the passage of the bill were, Messrs. Greer, Lillard, Kemiro, Russell, Harmon, Kenner, Markland, Preston, John Scott, Tipton and Kennedy.

Ordered, that Messrs. Kennedy and Perkins be added to the committee appointed to report on the present state of the fees of clerks, sheriffs, &c.

A bill directing the mode of exporting land and other property which have not been given in according to law, was read the first time, passed, and sent to the senate.

Mr. Perkins returned a bill to authorize each county court in this state when they deem it expedient, to lay an additional tax for erecting and repairing public buildings, which was read the third and last time, amended, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill, were, Messrs. James Scott, Greer, Perkins, Kemiro, Russell, Harmon, Kenner, Preston, Nelson, Wynne, Moore, Chisholm, Porter, Tipton and White.

Against it, Messrs. Lillard, Markland, John Scott and Kennedy.

A bill to provide for the payment of the clerks, &c. of this assembly, was withdrawn by Mr. Kennedy for amendment; also, the bill amending the law now in force for selling lands under execution.

A bill for apportioning the representation, &c. was withdrawn by Messrs. Tipton for amendment.

A bill for the better regulation of the town of Maryville, was read the first time, passed, and sent to the senate.

Mr. Tipton presented the petition of sundry inhabitants of Sullivan county, stating the inconvenience of a certain ware-house therein mentioned, which was read, referred to the committee of propositions and grievances and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

TUESDAY, October 22d, 1805.

The house met according to adjournment.

Mr. Kennedy returned a bill to amend the law now in force for selling lands under execution. Mr. Kennedy proposed amending the same by striking out in the second section "thirty-seven and a half cents," and inserting in the room thereof "twelve and a half cents," which amendment was rejected.

The ayes and noes being called for, those who voted for receiving the amendment were, Messrs. Greer, Lillard, Markland, Preston, Tipton and Kennedy.

Those who voted against receiving the amendment were, Messrs. James Scott, Perkins, Rentfro, Russell, Harmon, Kenner, Nelson, Wynne, Moore, Chisholm, Porter and White. The bill was then read the third and last time, passed, and sent to the senate.

A bill to amend the law now in force for regulating the descent of real estates, to do away entails, to make provision for widows, &c. was taken up, read the second time, passed, and sent to the senate.

Mr. Tipton introduced the following resolution:

Resolved, that this house adjourn to the lower floor of the house opposite to Richard Bearden's tavern, and that a message go to the senate to inform them of the same, which was read and adopted, and a message sent accordingly.

Received from the senate the following report of the committee appointed to examine Moses Fisk's revival of the laws of this state:

The committee to whom was referred Mr. Fisk's revival of the laws report,

That they have had the same under consideration, and

approved of the plan, but beg leave further to state, that said revival is not yet completed agreeably to the act of the general assembly for that purpose, passed at Knoxville, November the third, 1803, inasmuch as Willie Blount, one of the commissioners appointed in the act aforesaid, has not acted in conjunction with the aforesaid Mr. Fisk, and further, that there is not subjoined to said revival a general index with references and contents, as required by said act. And we recommend that an appropriation be made to compensate Mr. Fisk for his trouble and labor already performed, and that he have to the next general assembly to complete said revival. Which being read, resolved that this house concur therewith, except so far as respects the name of Willie Blount being conjoined with the said Moses Fisk.

Ordered that a message go to the senate informing them thereof, which was sent accordingly.

Received from the senate a message concurring with this house in referring sundry resolutions of the latter States, proposing amendments to the constitution of the United States, to a select committee, and name on their part Messrs. Maury and Wilkinson, to act with the gentlemen heretofore appointed by this house.

Also, concurring with this house in referring the memorial of the aldermen, assistants, medical faculty, and other citizens of the town of Natches, relative to the erection and support of a hospital, and appointing on the part of the senate Messrs. Williams and Maury, to act with the gentlemen heretofore appointed by this house.

Received from the senate the following message:

Mr. Speaker and gentlemen of the house of representatives,

The senate concur with your proposed adjournment to the house opposite Richard Bearden's in the room where Edward Scott, attorney, keeps his office.

Mr. Wynne introduced a bill to prevent the obstruction of Smith's fork, which was read the first time, passed, and sent to the senate.

Mr. James Scott returned a bill concerning Adam Peck, which was ordered to lie on the table until to-morrow.

The house then adjourned to the lower floor of the house

opposite to Richard Bearden's tavern, to the room where Edward Scott, attorney, keeps his office, and met according to adjournment.

Mr. Kennedy returned a bill compelling the public printer of this State to give bond and security for the performance of the contract by such printer entered into, with an amendment, which was read and received. The bill was then read the third and last time, passed as amended, and sent to the senate.

Mr. Greer returned a bill to restore William Wilson and Samuel Wilson of the county of Carter, to their former privileges, which was read the second time and rejected.

The ayes and noes being called for, those who voted for the passage of the bill were, Messrs. Greer, John Scott and Kennedy.

Those who voted against the passage of the bill, were, Messrs. James Scott, Lillard, Perkins, Kenner, Markland, Preston, Nelson, Moore, Chisholm, Porter, White and Tipton.

Mr. White introduced a bill respecting the printer of Mero district, which was read the first time, passed, and sent to the senate.

Mr. Porter returned a bill to repeal an act, entitled, "an act for the better security of the trial by jury in the superior courts," which was withdrawn by Mr. Lillard for amendment.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, October 23d, 1805.

The house met according to adjournment.

Mr. White presented the receipt of Andrew Jackson, esquire to the treasurer of Mero district, which was referred to the committee of finance, and sent to the senate.

Mr. Markland presented the account of the secretary of state for stationary, &c. which was referred to the committee of claims.

A bill concerning Adam Peck, was read the second time, amended, passed and sent to the senate.

A bill reducing into one the several clerks and sheriffs fees, was read the second time, passed, and sent to the senate.

A bill for the regulation of registers' offices, &c. was withdrawn by Mr. Nelson for amendment.

Received from the senate the following message :

Mr. Speaker and gentlemen,

The senate concur with your exception to the report of the committee who had under consideration Mr. Fisk's revival, so far as it relates to the recommendation of Willie Blount acting in conjunction with said Mr. Fisk.

A bill to amend the judicial system of this state, was taken up, read the second time, and withdrawn by Mr. Perkins for amendment.

A bill to compel the justices of the peace in the different counties in this state, to keep all the judgments they render in their possession, and for the regulation of the appointment of constables, was read the third and last time, amended, passed, and sent to the senate.

Mr. Russell from the committee of enrollments returned sundry engrossed bills, which were signed by the speaker and sent to the senate.

A bill to authorise the sheriffs of the different counties within this state, to take recognizances in certain cases, was withdrawn by Mr. Markland for amendment.

A bill concerning James Robertson, was read the second time, passed, and sent to the senate.

A bill for the better regulation of the town of Maryville, was read the second time, passed, and sent to the senate.

A bill to prevent the obstruction of the navigation of Smith's fork, was read the second time, amended, passed, and sent to the senate.

A bill respecting the printer of Mero district, was read the second time, passed, and sent to the senate.

The house adjourned until to-morrow nine o'clock.

T H. U. R. S. D. A. Y., October 24th, 1805.

The house met according to adjournment.

Received from the senate a resolution, directing that the public printer be directed to publish with the laws the act of cession of North-Carolina, and the act of congress accepting said cession, and that said printer be paid as for o-

ther printing, which was read and concurred with, and a message sent to the senate to inform them thereof.

Received from the senate a message appointing a committee to call on the secretary of state for all books, papers, &c. relative to the state; or which have come to his hands for the benefit thereof, which was read and concurred with, and Messrs. Perkins, John Scott, Chisholm, Preston, Kenner, Tipton and Wynne, appointed on the part of this house, and a message sent to inform the senate.

Mr. John Scott from the committee of propositions and grievances, reported,

That they had considered the petitions of sundry inhabitants of Anderson county, praying that Nicodemus Hackworth be released from a forfeited recognizance.

Also, the petition of sundry inhabitants of Sullivan county, praying authority to erect a ware-house at Snapp's ferry, on the bank of Holston river.

Also, the petition of sundry inhabitants of Claiborne county, praying that elections for said county may be held at the court house, and that the committee had found the prayers of said petitions reasonable, and that they ought to be granted.

The said reports being read were concurred with.

Received from the senate a message proposing an amendment to the bill for altering the place of holding general musters and elections in the eastern end of Carter county, which was read and concurred with, and Messrs. Greer and John Scott, sent to see the same made.

Mr. Preston introduced a bill to release Nicodemus Hackworth from a forfeited recognizance, which was read the first time, passed, and sent to the senate.

A bill to exempt certain persons from militia duty, was read the first time, passed, and sent to the senate.

A bill to establish a town in the county of Stewart, on the south bank of Cumberland river, was read the third and last time, passed, and sent to the senate.

Received from the senate sundry documents relative to the turnpike road from Cumberland, which were read and referred to the committee who have that subject under consideration.

Received from the senate a message concurring with a proposed amendment of this House to the bill concerning merchants, pedlars, &c. and proposing a new amendment to the same, which was read and concurred with, and a message sent to inform the senate.

Shortly after which Messrs. Maury and Houston attended to let the amendments made, which was done. The said bill was then read the third and last time, passed, and ordered to be engrossed.

A bill for the regulation of registers offices, was read the third and last time, amended, passed, and sent to the senate.

Received from the senate a message informing this house of their rejection of the report of the committee who had under consideration the enumeration of the free taxable inhabitants of this state.

Received from the senate a message proposing an amendment to the bill for altering the law now in force for selling lands under execution, which was read and concurred with, also, proposing an amendment to the bill to compel justices of the peace to keep the judgments they render, &c. which was read and concurred with, and Messrs. Greer and Chisholm sent to let the same made.

A bill concerning minors subject to militia duty and to work on roads, was read the second time and passed.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. James Scott, Lillard, Perkins, Bentlee, Russell, Markland, Bretton, Wynne, Porter and Kennedy.

Against it, Messrs. Greer, Harmon, Kenner, Nelson, Moore, Chisholm, White, John Scott and Tipton.

A bill to amend the judiciary system, was read and unanimously rejected.

A bill to provide for the payment of the clerks and door keepers of the present general assembly, was read the first time, passed, and sent to the senate.

The house adjourned until to-morrow morning 9 o'clock.

R R I D A T, October 25th, 1805.

The house met according to adjournment.

A bill to authorize sheriffs to take recognizances in certain cases, was taken up, and amended, and a message sent

to the senate proposing an amendment to the same, which was concurred with by the senate, and Messrs. Stewart and Taylor sent to this house to see the amendment made.

The said bill was accordingly amended, passed the third and last time, and ordered to be engrossed.

Received from the senate a message proposing an amendment to the bill for ascertaining the bounds of improvement and occupant claims, south of the rivers French Broad and Holston, which was concurred with, and Messrs. Porter and Wynne sent to see the amendment made.

A bill ascertaining what fees attorneys shall have, was read the first time, passed, and sent to the senate.

A bill to alter the fees of registers & rangers, & for other purposes, was read the first time, passed, & sent to the senate.

A bill to prevent the obstruction of the navigation of Smith's fork, was read the third and last time, passed, and sent to the senate.

A bill concerning James Robertson and others, was read the third and last time, passed, and ordered to be engrossed.

Mr. Lillard returned a bill to repeal an act for the better security of the trial by jury in the superior courts, which was read the 2d time, amended, passed, & sent to the senate.

A bill to establish ware-houses, and a place for the inspection of flour, beef and pork, on the bank of Holston river in Sullivan county, was read the first time, passed, and sent to the senate.

A bill to appoint a commissioner to run the line between the counties of Williamson, Davidson and Dixon, was read the first time, passed, and sent to the senate.

A bill concerning minors subject to militia duty and to work on roads, was withdrawn by Mr. James Scott for amendment.

Mr. Tipton returned a bill for the apportionment of representation among the several counties of this state, according to the third enumeration, which was read the first time, passed, and sent to the senate.

The house adjourned until to-morrow morning 9 o'clock.

SATURDAY, October 26th, 1805.

The house met according to adjournment.

A bill concerning minors subject to militia duty and to

work on roads, was read the third and last time. The question on the passage of the bill being taken by yeas and nays, the bill was rejected. Those who voted for the passage of the bill were, Messrs. James Scott, Lillard, Perkins, Rentfro, Russell, Markland, Preston, Wynne, Porter and Kennedy.

Against it Messrs. Greer, Bunch, Harmon, Kenner, Nelson, Moore, Chisholm, White, John Scott and Tipton.

The house being equally divided, the speaker decided in favor of rejecting the bill.

The report of the committee appointed to take into consideration sundry proposed amendments to the constitution of the United States, being read,

Resolved, as the opinion of this house, that said report be re-committed to the committee who had that subject under consideration, and that Mr. Kennedy be added to said committee, and that a message go to inform the senate, which was sent accordingly.

Received from the senate a message proposing an amendment to a bill to regulate registers offices, &c. which was concurred with, and Messrs. Nelson and Moore sent to see the same made.

Mr. Rentfro introduced a bill to alter the dividing line between the counties of Hawkins and Grainger, so as to include Jackson Smith in Grainger county, which was read the first time, passed, and sent to the senate.

A bill to establish ware houses, and a place of inspection for salt, beef and pork, on the bank of Holston river, in Sullivan county, was read the second time, amended, passed, and sent to the senate.

A bill to establish the true line between the counties of Greene and Hawkins, was read the third time and rejected. The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. Greer, Lillard, Perkins, Bunch, Kenner, Markland, Moore, Chisholm and Kennedy.

Against it, Messrs. James Scott, Rentfro, Russell, Harmon, Nelson, Wynne, Porter, White, John Scott & Tipton.

A bill to exempt certain portions from militia duty, was read the second time and rejected. The yeas and nays being called for, those who voted for the passage of the bill

were, messrs. Greer, Russell, Markland, Porter, John Scott and Kennedy.

Against it, messrs. James Scott, Lillard, Perkins, Butch, Rentfro, Harmon, Kenner, Preston, Nelson, Wynne, Moore, Chisholm, White and Tipton.

A bill to alter the fees of registers and rangers, was read the second time, passed, and sent to the senate.

Received from the senate a message proposing to discharge the committee from any further consideration of the resolutions of Kentucky and Pennsylvania, relative to sundry proposed amendments to the constitution of the United States, which was read and concurred with, and a message sent to inform the senate.

Received from the senate a resolution proposing that no bill be received after Tuesday next, which was read and concurred with.

Mr. James Scott introduced a bill to compel the sheriffs of this state to make final settlements and full payments before they shall be eligible to any office in this state, which was read the first time, passed, and sent to the senate.

Mr. Russell returned a bill to authorize judgments to be entered on all verdicts heretofore rendered in the several county courts in this state, which was read the second time, amended, passed, and sent to the senate.

The house then adjourned until Monday nine o'clock.

MONDAY, October 23rd, 1805.

The house met according to adjournment.

Mr. Russell from the committee of enrollments returned sundry engrossed bills, which were signed by the speaker and sent to the senate.

Mr. Nelson introduced a bill to alter the time of holding court in Montgomery county, which was read the first time, passed, and sent to the senate.

A bill to release Nicodemus Hackworth from the penalties of a forfeited recognizance, was taken up, read the second time, passed, and sent to the senate.

Mr. Russell introduced the following resolution:

Resolved, that it is the opinion of this legislature, that the boundary line between this state and the state of North

Carolina, has not been run and extended agreeable to the act of cession: Wherefore, Resolved, that two commissioners be appointed by this legislature to act in conjunction with such as may be appointed by the legislature of North-Carolina, for the purpose of ascertaining and marking the true line between the states aforesaid, agreeable to the cession act, and that a bill be prepared for the purpose of carrying the same into effect, which was read, adopted, and sent to the senate.

A bill supplementary to an act, entitled, "an act giving further time for proving and registering deeds and grants, and for regulating conveyances," passed at Knoxville, October 15th, 1805, was read the first time, passed, and sent back to the senate.

A bill for the better regulation of the town of Maryville, was withdrawn by Mr. James Scott for amendment.

A bill to appoint a commissioner to run the line between the counties of Williamson, Davidson and Dickson, was read the second time, passed, and sent to the senate.

A bill to prevent sheriffs, coroners and constables from bidding or purchasing at their own sales, was read the first time, passed, and sent back to the senate.

A bill to repeal the law which exempts the president, vice president, professors and tutors of any college from militia duty, was read the first time, passed, and sent back to the senate.

A bill to alter the dividing line between Hawkins and Grainger counties, so as to include Jackson Smith in the county of Grainger, was read the second time and rejected.

Received from the senate a message concurring with the resolution adopted by this house relative to marking and ascertaining the true line between this state and the state of North-Carolina.

Received from the senate a message notifying this house that they had adopted the following resolution:

Resolved by the senate and house of representatives of the state of Tennessee, that the senators from this state in the congress, be instructed, and the representatives thereof be requested, to use their endeavors with the proper authorities at the seat of the general government, in order that

such regulations may be made on the road leading through the wilderness from Natchez to this state, as are most likely to afford relief to the afflicted travellers thereof, either by the establishment of houses thereon, under the superintendence of a proper officer, or otherwise, as may appear best calculated to promote the mitigation of human misery.

Resolved, that the governor be requested to transmit to each senator and representative of this state, in the congress of the United States, a copy of the foregoing resolution.

Which being read, resolved that this house concur therewith, and that a message go to the senate to inform them thereof, which was sent accordingly.

Mr. Russell introduced a bill authorizing the county court of Greene to lay and collect an additional county tax for the purpose of building a prison in the town of Greeneville, which was read the first time, passed, and sent to the senate.

Mr. White introduced a bill making compensation to Moses Fisk, for services by him performed in revising and compiling the laws of the state of Tennessee, &c. agreeable to an act of this general assembly, passed on the day of 1803, which was read the first time, passed, and sent to the senate.

A bill supplementary to an act for the regulation of registers offices, &c. passed at the present session of the general assembly, was read the first time, passed, and sent back to the senate.

A bill to establish ware-houses, and a place of inspection for flour, beef and pork on the bank of Holston river, in Sullivan county, was read the third and last time, passed, and sent to the senate.

A bill to alter the fees of registers and rangers, and for other purposes, was read the third and last time, passed, and ordered to be engrossed.

A bill to repeal an act entitled, "an act for the better security of the trial by jury in the superior court," was read the third and last time, and Mr. Kennedy proposed amending the same by striking out the following section, "section 2d, Be it enacted, that the second, third, fourth and sixth sections of an act, passed at Knoxville, November the fifth, one thousand eight hundred and three, entitled, an act

Supplementary to an act, entitled, an act to amend an act establishing courts of law, and for regulating proceedings therein, so far as respects the county courts." be, and the same is hereby repealed, and the law heretofore in force and in use, the same is hereby revived, and shall be in full force, any thing to the contrary notwithstanding."

The question being put on receiving the amendment, it passed in the negative. The yeas and nays being called for, those who voted for striking out were, messrs. James Scott, Russell, Preston, Nelson, Moore, Tipton, Chisholm and Kennedy.

Against striking out, messrs. Greer, Lillard, Perkins, Branch, Rentfro, Harmon, Kenner, Markland, Wynne, Porter, White and John Scott. The bill was then read the third and last time, passed, and ordered to be engrossed.

The yeas and nays being called for, those who voted for the passage of the bill were, messrs. Greer, Perkins, Branch, Lillard, Rentfro, Harmon, Kenner, Markland, Wynne, Moore, Porter and White.

Those who voted against the passage of the bill were, messrs. James Scott, Russell, Preston, Nelson, Chisholm, John Scott, Tipton and Kennedy.

Received from the senate the following report of the committee to whom was referred the communication of Captain Wm. Landrum of the Mississippi territory, acting as governor of the same, covering a copy of the memorial of the mayor, physicians and medical faculty of the town of Natchez: also a copy of the law, entitled, "an act establishing a hospital in the town of Natchez, and incorporating trustees for the same. Your committee beg leave to remark, that from the tenor of the arguments adduced by the memorialists, that the expediency of the institution for establishing a hospital, is predicated (for the most part) on the ground that a great number of poor, transitory afflicted persons, & indigent brethren, inhabitants of the States bordering on the waters of the Mississippi, are at all times (but more particularly during the malarious seasons) to be found within the city of Natchez.

Your committee are induced to believe, considering the commercial relations which do exist between this State and

the said territory, that the institution alluded to, is well calculated for the relief of this description of our own citizens, in common with those of several of the other states; and that good policy, as well as justice, afford them just grounds for a claim upon this state, for such pecuniary aid as the circumstances of the case may require, and the finances thereof may admit. Wherefore, your committee respectfully submit the following resolutions for your concurrence and adoption :

Resolved, a law ought to pass authorizing and requiring the treasurer of Mero district to pay to the order of the president & trustees of the Natchez hospital, the sum of 500 dollars, which said order acknowledged to be paid, shall be a sufficient voucher in the hands of said treasurer in the settlement of his accounts.

Resolved, that a law ought to pass for appointing two boards of trustees, one in the town of Nashville, and one in the town of Knoxville, with instructions to open and receive subscriptions from time to time, for the use and benefit of the said "Natchez Hospital," vesting them with full power to sue for and recover the same from delinquent subscribers, if any there may be, and requiring them to make report thereof to the general assembly at their stated meetings. Which being read, resolved, that this house concur therewith, and that a message go to the senate to inform them thereof, which was sent accordingly.

Received from the senate the following resolutions :

Resolved by the senate and house of representatives of the state of Tennessee, that our senators in congress be instructed, and our representatives be requested to use their endeavors with the proper authorities at the seat of the general government, to carry into effect the opening of the Muscle Shoals as soon as practicable, so that the same may be navigated with such boats as commonly descend the Tennessee.

Resolved, that the governor is hereby requested to transmit a copy of the foregoing resolution to each of our senators and representatives in the congress of the United States.

Which being read, resolved, that this house concur therewith, and that a message go to the senate to inform them thereof, which was sent accordingly.

The house adjourned until to-morrow nine o'clock.

T U E S D A Y, October 29th, 1805.

The house met according to adjournment.

A bill to alter the time of holding court in Montgomery county, was read the second time, passed, and sent to the senate.

Mr. Kennedy returned a bill to several part of an act, entitled, "an act to establish a treasury department, and to ascertain the salary of the treasurers, which was read the second time, passed, and sent to the senate.

Mr. Russell introduced a bill to authorize the governor of this state to appoint commissioners to settle and designate the true boundary line between this state and the state of North-Carolina, which was read the first time, passed, and sent to the senate.

Mr. Renfro presented sundry petitions from a number of inhabitants of Claiborne and Anderson counties, praying that a new county may be laid off, which was read and referred to the committee of propositions and grievances, and sent to the senate.

Mr. Noland introduced a bill for opening a turnpike road from the Walnut Cove in Anderson county, over Cumberland mountain to the Kentucky line, which was read the first time, passed, and sent to the senate.

Mr. Hubbard introduced a bill to authorize the county court of said county to lay an additional county tax for the purpose of paying the grand jurors that have been appointed to attend the court in said county, for two years last past, which was read the first time, passed, and sent to the senate.

Mr. Wayne introduced the following resolution, which was read and sent to the senate for their concurrence :

Resolved, that the legislature go into the election of treasury tomorrow at twelve o'clock in the representative chamber.

Mr. Linton presented the following resolution :

Whereas experience proves the present constitution to be defective in many respects, and particularly in this: That in an arbitrary manner in which the second section of the constitution is worded, a number of the citizens of this state are excluded, and contend for a construction that all m

groes liable to taxation ought to be enumerated and represented in the general assembly ; and whereas the construction aforesaid, was certainly not the intention of the framers of the constitution ; and whereas by the mode now pointed out by the second section of the first article of the constitution of this state for apportioning the representatives of the different counties, it has a tendency injuriously and improperly for the public good, to excite the feelings of the members of the legislature, and to place it in the power of some sections of the state to have an undue influence in making the apportionment, and obtain more members than they are justly entitled to. And whereas, it is expedient permanently to fix the seat of government at some place from which it will not be in the power of any legislature to remove it. Wherefore, to remedy the aforesaid objections, and others that could be enumerated,

Resolved, that this general assembly deem it their duty to recommend it to the good citizens of this state at the next election for members to the general assembly, to vote for or against a convention for the purpose of amending the said constitution, so as to remove the aforesaid difficulties, with all others that may present themselves.

The question being taken by yeas and nays, those who voted for the resolution were, messrs. James Scott, Greer, Bunch, Kentro, Russell, Harmon, Markland, Preston, Porter, John Scott, Tipton and Kennedy.

Against it, messrs. Lillard, Perkins, Kenner, Nelson, Wynne, Moore, Chisholm and White.

Whereupon, ordered, that a message go with said resolution to the senate informing them of the vote of this house, which was sent accordingly.

Mr. White filed his reasons for not concurring with sending said resolution and vote to the senate, in the following words :

My reasons for opposing the sending said resolution and message to the senate are, because from the constitution and number of votes taken on each side, I am decidedly of opinion that the resolution was rejected, and if rejected, I hold it improper to have sent it to the senate.

Signed

CHAPMAN WHITE.

Mr. Tipton laid before the house propositions from Thomas N. Clarke, relative to the seat of government, which were referred to messrs. Russell and Tipton, and sent to the senate.

A bill granting a certain sum of money to the president and trustees of the Natchez hospital, was read the first time, passed, and sent to the senate.

A bill to divide Jackson county, was read the first time, passed, and sent to the senate.

A bill authorising verdicts heretofore rendered in the several county courts in this state, to be given in evidence, was read the third and last time, passed, and sent to the senate.

A bill to prevent sheriffs, coroners and constables from bidding and purchasing at their own sales, was read the second time, passed, and sent to the senate.

A bill to regulate the election of sheriffs in certain cases, was read the second time, passed, and sent to the senate.

A bill to repeal the law which exempts the president and vice president, of any college from militia duty, was withdrawn by Mr. Tipton for amendment.

A bill directing the mode of reporting land and other property that have not been given in agreeably to law, was read the second time, passed, and sent to the senate.

A bill supplementary to an act for the regulation of the registers offices, &c. passed at the present session of the general assembly, was read the second time, passed, and sent to the senate.

A bill to release Nicodemus Hackworth from a forfeited recognizance, was read the third and last time, passed, and sent to the senate.

Mr. Russell presented the petition of Hezekiah Balch praying that a law may be passed to emancipate certain slaves, which was read, referred to the committee of propositions and grievances, and sent to the senate.

Mr. Nelson presented the petition of Robert Searcy, relative to a judgment obtained against him as late treasurer of the state for Mero district, which was read and referred to the committee of finance.

Received from the senate a message proposing that

committee be appointed to make out an estimate of the expenses of this assembly, which was concurred with, and Messrs. Markland and Russell appointed on the part of this house.

A bill to give the county courts equity jurisdiction, was read the first time, passed, and sent to the senate.

Mr. Wynne introduced a bill to amend the law now in force giving a right of action to any person for the value of his improvements, where recoveries are had in actions of ejectment, which was read the first time, passed, and sent to the senate.

A bill for the better regulation of the town of Maryville, was read the third time and rejected.

Mr. Kennedy introduced a bill to amend the law directing the manner in which the several clerks and masters of the courts of equity, clerks of the superior courts of law, clerks of the county courts, and registers of the several counties shall settle with the treasurer, which was read the first time, passed, and sent to the senate.

Mr. White introduced a bill for the better regulation of the militia of this state, which was read the first time, passed, and sent to the senate.

A bill to appoint a commissioner to run and mark the lines between the counties of Williamson, Davidson, and Dickson, was read the third and last time, passed, and ordered to be engrossed.

A bill supplemental to an act, entitled, "an act for the promotion of learning in Davidson county," passed by the Legislature of North-Carolina in November, 1785, was read the first time, passed, and sent to the senate.

The house then adjourned until to-morrow morning nine o'clock.

W E D N E S D A Y, October 30th, 1805.

The house met according to adjournment.

Mr. John Scott from the committee of propositions and grievances reported, that they had considered the petition of sundry inhabitants of Claiborne and Anderson counties, praying a new county to be laid off, and had found the same reasonable, but that owing to the lateness of the session,

recommend that it lie on the table until the next general assembly.

That they had also considered the petition of Hezekiah Balch, praying a law may pass to emancipate certain slaves, and found the same reasonable.

The reports being read were concurred with, and sent to the senate.

Mr. Moore from the committee of claims reported, that they had considered the claim of William Maclin for stationary, postage, &c. and that he is entitled to the sum of 230 dollars and 79 cents.

Also, the claim of George Wilson, for 57 dollars, for printing.

Also, the claim of Thomas Crutcher, for 100 dollars paid Andrew Jackson, elquire, and that they had found the same unreasonable.

The reports being read were concurred with and sent to the senate.

Mr. Russell from the committee of enrollments returned sundry engrossed bills which were signed by the speaker, and sent to the senate.

The report of the committee who had under consideration the road from Hamilton to Mero, was taken up and concurred with, except that part which gives the turnpike company further time to put the said road in repair.

Ordered, that a message go to inform the senate, which was sent accordingly.

The bill respecting the fees of clerks, sheriffs, &c. was withdrawn by Mr. Russell for amendment.

A bill making compensation to Moses Fisk, &c. was read the second time, passed, and sent to the senate.

A bill to alter the time of holding courts in Montgomery county, was read the third and last time, passed, and sent to the senate.

A bill to fix the number of senators in the state into election districts, and determine the portion to be allotted to each, as well as to fix the number of representatives for the several counties in this state, in pursuance of the provisions of the constitution, was read the second time, passed, and sent to the senate.

Received from the senate a message informing this house that they had disagreed to the report of the committee on the claim of George Willson, printer, for work by him performed.

Resolved, that this house do not concur with the senate.

A message was then sent to the senate to inform them that this house are ready to go into the election of treasurers.

Shortly after the members of the senate appeared, and both houses proceeded to the election of a treasurer for the districts of Washington and Hamilton; also, a treasurer for the district of Mero, and after some time spent therein, Mr. Lillard from the committee appointed to superintend the balloting, reported, that Thomas M-Corry had all the votes for treasurer of Washington and Hamilton districts; and Thomas Crutcher all the votes for treasurer of Mero district. Whereupon, the speaker announced in the presence and hearing of both houses, that Thomas M-Corry was duly and constitutional elected treasurer of the districts of Washington and Hamilton, and Thomas Crutcher duly and constitutionally elected treasurer for the district of Mero.

A bill to open a turnpike road from the Walnut Cove in Anderson county, &c. was withdrawn by Mr. Markland for amendment.

A bill to authorise the county court of Jefferson to lay an additional county tax, was read the first time, passed, and sent to the senate.

A bill for quieting titles to lands, was ordered to lie on the table until next assembly.

A bill supplementary to an act, to repeal an act, appointing commissioners to settle with those heretofore appointed in the county of Washington to contract for the public buildings, &c. was read the first time, passed, and sent to the senate.

A bill to amend part of an act to regulate the descent of real estates, to do away entails, and to make provision for widows, was read the third and last time and passed.

A bill to amend the law now in force giving a right of action to any persons for the value of their improvements, where recoveries are had in actions of ejectment, was read the second time, passed, and sent to the senate.

A bill granting a certain sum of money to the president and trustees of Natchez Hospital, was read the second time, passed and sent to the senate.

A bill supplementary to an act for the promotion of learning in Davidson county, passed by the legislature of North-Carolina, November 1785, was read the second time, passed, and sent to the senate.

A bill to repeal part of an act to establish a treasury department, and to ascertain the salary of the treasurers, was read the third time and rejected.

A bill authorizing the governor of this state to appoint commissioners to settle and designate the true line between this state and the state of North-Carolina, was withdrawn by Mr. Kennedy for amendment.

Mr. Tipton returned a bill to repeal so much of the law as exempts presidents, vice presidents, tutors and students from militia duty, which was read the second time, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill were, messrs. James Scott, Lillard, Perkins, Bunch, Rentfro, Harmon, Kenner, Preston, Nelson, Wynne, Moore, Chisholm, White, John Scott and Tipton.

Against it, messrs. Greer, Russell, Markland, Porter and Kennedy.

A bill supplementary to an act for the regulation of registers offices, &c. passed at the present session of the general assembly, was read the third and last time, passed, and ordered to be engrossed.

The yeas and nays being called for, those who voted for the passage of the bill were, messrs. Greer, Lillard, Perkins, Rentfro, Russell, Preston, Nelson, Wynne Moore, Chisholm, Porter, White and Kennedy.

Against it, Messrs. James Scott, Bunch, Harmon, John Scott, and Tipton.

A bill concerning the Natchez hospital, was read the second time, passed, and sent to the senate.

A bill to authorize the county court of Cocke to lay an additional county tax for the purpose of paying the grand jurors that have been appointed to attend the courts in said

county, for the two years last past, was read the second time, passed, and sent to the senate.

A bill giving equity jurisdiction to the county courts, was read the second time, the question being taken by yeas and nays, those who voted for the passage of the bill were, Messrs. Lillard, Rentfro, Russell, Markland, Nelson, Wynne Moore, Chisholm, Porter and White.

Against it, Messrs. James Scott, Greer, Perkins, Bunch, Harmon, Kenner, Preston, John Scott, Tipton and Kennedy. The house being equally divided, the speaker voted in favor of the passage of the bill, which passed accordingly, and was sent to the senate.

A bill to regulate the election of sheriffs in certain cases, was read the third time, passed, and sent to the senate.

A bill to amend the law directing the manner in which the several clerks and masters of the court of equity, clerks of the superior courts of law, clerks of the county courts, and registers of each and every county, shall settle with the treasurers of their respective districts for the public taxes by them collected, and for other purposes, was read the second time, passed, and sent to the senate.

A bill for the better regulation of the cavalry of this state, and for other purposes, was read the second time, passed, and sent to the senate.

A bill to prevent coroners, sheriffs and constables from bidding or purchasing at their own sales, was read the third and last time, passed, and ordered to be engrossed.

The house then adjourned until to-morrow morning nine o'clock.

T H U R S D A Y, October 31st, 1805.

House met according to adjournment.

Mr. Seahorn appeared and took his seat.

Mr. Markland returned a bill for opening a turnpike road from the Walnut Cove in the county of Anderson, over Cumberland mountain to the Kentucky line, which was read the second time, passed, and sent to the senate.

Mr. Russell returned a bill to reduce into one the several acts concerning the fees of the several clerks and the

riffs in this state, which was again withdrawn by Mr. Kennedy.

Received from the senate a message concurring with this house in re-committing the report of the committee concerning sundry resolutions of other states, &c. and proposing the addition of Mr. Houston to said committee, which was concurred with.

A bill to authorise the county court of Cocke to lay an additional county tax for the purpose of paying the grand jurors that have been appointed to attend said courts for two years last past, was read the third and last time, passed, and sent to the senate.

A bill to divide the district of Mero into two separate judicial districts, was read the third time and rejected.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. James Scott, Bunch, Rentfro, Russell, Kenner, Markland, Preston and Nelson.

Against it were, Messrs. Greer, Lillard, Perkins, Harmon, Seahorn, Chisholm, Porter, White, John Scott, Tipton and Kennedy.

A bill supplemental to an act for the promotion of learning in the county of Davidson, passed by the state of North-Carolina, was read the third and last time, passed and sent to the senate.

A bill granting a certain sum of money to the president & trustees of the Natchez hospital, was read the third and last time, passed, and ordered to be engrossed.

A bill concerning the Natchez hospital, was read the third and last time, passed, and ordered to be engrossed.

A bill to authorise the court of Jefferson county to lay an additional county tax, &c. was read the second time, passed, and sent to the senate.

Ordered, that a message go to the senate proposing to go into the appointment of magistrates on to-morrow, which was sent accordingly.

Mr. Lillard returned a bill authorising the governor of this state to appoint commissioners to settle and designate the boundary line between this state and the state of North-Carolina, which was read the second time, amended, passed, and sent to the senate.

A bill for appointing commissioners to superintend the opening and keeping in repair that part of the road leading from Virginia and North-Carolina to Kentucky, which lies between the Cross Roads at the place called Bean's station, in Grainger county, and the ford of Sycamore creek, in Claiborne county, was read the third time and proposed to be amended, which amendment was received, and a message sent to the senate to inform them thereof.

Received from the senate a message, concurring with the amendment proposed by this house, and notifying that they had sent Messrs. Jack and Stewart to see it made. The bill was then amended, passed, and ordered to be engrossed.

Received from the senate a message notifying this house of their concurrence with the message sent by this house, proposing to-morrow for going into the appointment of justices of the peace.

A bill supplemental to an act, entitled, "an act giving further time for proving grants and deeds, and for regulating conveyances," passed at Knoxville, 18th October 1805, was read the second time and rejected.

The house then adjourned until to-morrow morning nine o'clock.

F R I D A Y, November 1st, 1805.

The house met according to adjournment.

A bill to amend the law relative to costs on criminal prosecutions, was read the third and last time, passed, and sent to the senate.

A bill to amend the law now in force and use giving a right of action to any person for the value of their improvements, where recoveries are had in actions of ejectment, was read the third and last time, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. James Scott, Lillard, Bunch, Kentfro, Sealhorn, Preston, Nelson, Wynne, Moore, Chisholm, White, John Scott and Kennedy.

Against it, Messrs. Greer, Perkins, Harmon, Kenner and Tipton.

A bill to amend the law directing the manner in which the several clerks and masters of the courts of equity, clerks of the superior courts of law, clerks of the county courts,

and registers of the different counties in this state, shall settle with the treasurers, was read the third and last time, passed, and sent to the senate.

A bill appointing commissioners to settle and designate the true boundary line between this state and the state of North-Carolina, was read the third and last time, amended, passed, and sent to the senate.

A bill for opening a turnpike road from the Walnut Cove, over Cumberland mountain to the Kentucky line, was read the third and last time, passed, and sent to the senate.

A bill to authorize the county court of Greene to lay an additional county tax, was read the first time, passed, and sent to the senate.

A bill concerning Adam Peck, was read the third and last time and rejected.

Mr. Kennedy introduced the following resolution :

Resolved by the senate and house of representatives of the state of Tennessee, that Knoxville be and remain the seat of government until the end of the next general assembly, which was read, adopted, and sent to the senate.

A bill reducing into one the several acts concerning the fees of clerks and registers, was read the third and last time, amended, passed, and sent to the senate.

The yeas and nays being called for, those who voted for the passage of the bill, were Messrs. James Scott, Greer, Perkins, E. H. Kufs II, Harmon, Kenner, Deahorn, Nelson, Wynne, Moore, Chisholm, White, John Scott, Lipton and Kenned.

Against it, Messrs. Lillard, Preston and Porter.

Mr. Russell from the committee of enrollments returned sundry engrossed bills, which were signed by the speaker and sent to the senate.

Mr. White introduced the following resolution :

Resolved by the senate and house of representatives of the state of Tennessee, that his excellency the governor be requested to convene the legislature of this state, on the receipt of the report of the agent appointed to go to North-Carolina, which was read, adopted, and sent to the senate.

Mr. Porter introduced the following resolution :

Resolved, that his excellency the governor of this state, be

authorised & requested to allow Adam Peck & his securities, a further time of 3 months, to cut out & open the road leading from S. W. Point, & Tellico to the state of Georgia, & that said Peck's bond be not put in suit until the expiration of the said 3 months, provided said road shall be cut out & opened within that time, which was read, adopted, & sent to the senate. Mr. Porter introduced the following resolution :

Resolved, that the printers who contracted to print the laws and journals of this assembly, have a further time of one month to complete the laws thereof, which was read and adopted.

Mr. Porter from the committee appointed to enquire and report in what manner the contract entered into by George Raulstone, late printer to this state, has been executed, reported

That the committee had enquired into the same, and found that all the laws have been delivered, though not in the time contracted for, owing as they believe, to the death of said printer ; and that all the journals have been delivered except thirty-seven copies to Robertson county, owing to accident ; and that they were further of opinion, that the said contract has not been broken in such a degree as to require a deduction of any part of the payment to be made in consideration of said work, which report being read,

Resolved, that this house concur therewith.

A bill directing the mode of reporting lands and other property not given in agreeably to law, was read the third time, and proposed to be amended by striking out the fifth section, which amendment was agreed to, and a message sent to the senate to inform them thereof.

Received from the senate a message notifying this house of their concurrence with the amendment proposed to the bill directing the mode of reporting lands, &c. and that they had sent Messrs. Doherty and Houston to see the same made.

The bill was then read the third and last time, passed as amended, and ordered to be engrossed.

Received from the senate a message informing this house that they had read for the third and last time a bill to amend the law directing the manner in which the several clerks and masters of the courts of equity, clerks of the superior courts of law, &c. shall settle with the treasurer, and pro-

proposing to amend the same, which amendment was agreed to, and Messrs. Rentfro and Harmon sent to see it made.

Received from the senate a message concurring with the resolution adopted by this house, that Knoxville be and remain the seat of government until the end of the next general assembly of this state.

A bill to fix the number of senators from the state into election districts, and determine the portion to be allotted to each, as well as to fix the number of representatives for the several counties in this state, in pursuance of the provisions of the constitution, was read the third and last time. Mr. John Scott moved to amend by striking out in the fourth section, so as to read "beginning with Sullivan," instead of "beginning with Hawkins." Those who voted for receiving the amendment were, Messrs. John Scott, Tipton and Kennedy.

Against it, Messrs. James Scott, Lillard, Perkins, Bunch, Rentfro, Russell, Harmon, Kenner, Seahorn, Preston & Nelson.

The bill was then read the third and last time, passed, and ordered to be engrossed.

The yeas and nays being called for, those who voted for the passage of the bill were, Messrs. James Scott, Greer, Lillard, Perkins, Bunch, Rentfro, Kenner, Seahorn, Markland, Preston, Nelson, Wynne, Moore, Chisholm, Porter and White.

Against the passage of the bill, Messrs. Russell, Harmon, John Scott, Tipton and Kennedy.

The gentlemen whose names are hereto subscribed, filed their reasons for voting against the passage of the bill in the following words :

Among the many reasons that induce us to vote against the passage of the bill, are the following :

The bill contemplates apportioning the representatives by the tax list of eighteen hundred and four, which is data not contemplated by the constitution and laws, and against a law expressly made for the purpose of making the apportionment.

2d. The apportionment being made by the tax lists, it is such a mode, as in some instances already give negroes liable to taxation, an influence in the representation.

3d. in our opinion it is impolitic at this time to increase the representation, inasmuch as we are not bound to do it by the provisions of the constitution, the census being illy taken, we think prudence dictates to us not to do it.

4th. By unnecessarily increasing the number of the members of the legislature, the district of Mero by the apportionment getting more than one third of the representation, will prevent the calling of a convention, by which means negroes will eventually come to be enumerated, and free men put on the footing of slaves.

Signed

JOHN KENNEDY,
JOHN RUSSELL,
JOHN SCOTT,
JOHN TIPTON,
JOHN HARMON.

A bill supplementary to an act, to repeal an act, appointing commissioners to settle with persons heretofore appointed in the county of Washington, to contract for the public buildings and the regulation of the town of Jonesborough, and to appoint certain persons in their stead for the purposes aforesaid, passed November the sixth, eighteen hundred and one, was read the second time, passed, and sent to the senate.

A bill making compensation to Moses Fisk, for services by him performed in revising and compiling the laws of this state, &c. agreeably to an act of this general assembly, passed the third day of November, eighteen hundred and three, being read the third and last time, Mr. Kennedy moved the following amendment:

“Section 3d. Be it enacted, that nothing herein contained sha’l be so construed as to compel the state, or in any manner pledge it for any greater or further compensation, at any future period, for the said Moses Fisk.”

The question being put, the amendment was lost, ayes eight, noes ten. Those who voted for receiving the amendment were, Messrs. Greer, Harmon, Seahorn, Markland, Preston, John Scott, Tipton and Kennedy.

Against it, Messrs. James Scott, Perkins, Bunch, Russell, Kenner, Nelson, Wynne, Moore Chisholm and White.

The bill was then passed and sent to the senate.

Mr. Russell filed his reasons for voting against the amendment in the following words:

I voted against receiving the amendment because I did not conceive that the bill without the amendment bounds the legislature to do any thing they might deem improper. I conceived a revival of the laws all important to our citizens, and know that no person would undertake a laborious task without a prospect of compensation, provided the work was correctly performed; and if not, it still remains in the power of the legislature to make payment or not.

Signed,

JOHN RUSSELL.

Received from the senate the report of the committee to whom were referred that part of his excellency's communication, relative to the patent right of Miller and Whitney to the saw gin, recommending that the law providing for the purchase of the patent right of said Miller and Whitney remain suspended, inasmuch as they have not produced to this state satisfactory evidence of their being the true proprietors. Which report being read,

Resolved, that this house concur therewith.

Received from the senate a message notifying this house that they had read for the third and last time, a bill to amend the law now in force giving a right of action for the value of his improvements, and proposing to amend the same by striking out the words "or surveys," which being read,

Resolved, that this house do concur therewith.

Ordered, that a message go to the senate notifying them of the concurrence of this house, which was sent accordingly, and Messrs. Tipton and Preston sent to see the amendment made.

The house adjourned until to-morrow morning 9 o'clock.

SATURDAY, November 2d, 1805.

The house met according to adjournment.

A bill authorizing the county court of Greene to lay and collect an additional tax for the purpose of erecting a jail in the town of Greeneville and county of Greene, was read the second time, passed, and sent to the senate.

Received from the senate the report of the committee relative to fixing the seat of government, which was read and rejected.

A bill authorising the court of Jefferson county to lay a tax for the purpose of completing the court house, &c. was read the third and last time, passed, and ordered to be engrossed.

A bill making compensation to the members, clerks and door keepers, and for other purposes, was read the second time, amended, passed, and sent to the senate.

A bill for fixing the seat of government, &c. was ordered to lie on the table until the next general assembly.

Mr. White introduced the following resolution:

Resolved, that a committee be appointed to inform the honourable George W. Campbell, William Dickson and John Rhea, of their re-election to represent this state in the congress of the United States, for the next two years; also, to inform John Williams esquire, of his appointment to North Carolina, respecting our landed interest, and that said committee consist of Messrs. White, Markland and Porter, on the part of this house.

Received from the senate the following report of the committee of finance:

That on settling the accounts of John Maclin, late treasurer of Washington and Hamilton districts, they find he was to account to the state for 367 dollars, 49 cents, and that he has taken up drafts, &c. on the taxes, to the amount of 353 dollars 79 1-2 cents, including 231 dollars 79 1-2 cents, which has been allowed William Maclin this general assembly, for stationary, postage, &c. and collectors and treasurers commissions on the sum, which he was chargeable with, and that there is the sum of 33 dollars 69 1-2 cents yet due from him to the state, which sum the committee have directed him to pay to the treasurer of said districts.

They further report, that Richard Mitchell, clerk of Hawkins county, has not rendered an account of the public monies by him collected for the year 1802, and that the amount of public taxes by him collected for that year, on law proceedings, &c. is yet due to the state.

JOHN GASS, C. C.

A bill supplementary to an act, to repeal an act appointing commissioners to settle with persons heretofore appoint-

ed in the county of Washington, to contract for the public buildings, and regulation of the town of Jonesborough, &c. &c. was read the third and last time, passed, and ordered to be engrossed.

A bill to divide Jackson county, was read the second time and rejected.

Received from the senate a message as follows, which was read and concurred with:

Mr. Speaker and gentlemen,

The senate propose that the laws and journals of the present assembly be distributed in the following manner :

Counties.	Copies of Laws.	Copies of Journals.	Counties.	Copies of Laws.	Copies of Journals.
Anderfon,	34	22	Sumner,	45	34
Carter,	33	22	Wilson,	36	22
Blount,	37	20	Roane,	31	22
Cocke,	34	22	Robertson,	35	24
Claiborne,	26	20	Sevier,	34	22
Davidson,	58	37	Washington,	50	39
Williamson,	42	24	Sullivan,	43	28
Rutherford,	34	22	1 to each member		
Dickson,	20	18	of assembly,	36	36
Montgomery,	45	28	Governor, se-		
Stewart,	20	18	cretary, trea-		
Grainger,	36	24	surer, judges,		
Greene,	56	39	and clerks of		
Hawkins,	37	24	superior courts		
Jefferson,	35	23	of law, each		
Smith,	37	20	one,	10	10
Jackson,	40	28	2 additional journals		
Knox,	56	39	for Blount county,		2
				1000	689

To be delivered to the clerks of the several courts for distribution.

Received from the senate a message proposing to go into

a committee of both houses, this day at four o'clock, to consider whether it be expedient or not to recommend the calling a convention for the purpose of amending the constitution of this state; which was read and concurred with, and a message sent to inform the senate.

Received from the senate the report of the committee appointed to call on the secretary of state, to lay before them all the laws and journals of the United States, all the laws of individual states, all the volumes of Roulstone's edition of the laws of this state, and all books and papers for the use of the state, which was read and concurred with; also, the report of the committee who had under consideration the claim of Miller and Whitney to a patent right of the saw gin or cotton gin, which was read & concurred with. The senate appeared for the purpose of considering the necessity of calling a convention, and after some time retired to their own chamber.

A bill making compensation to the members, clerks and door keepers of the present general assembly, and for other purposes, Mr. Kennedy moved to strike out the 5th section of said bill, which made provision for paying to Robert King a sum of money for opening a road from the district of Hamilton to Mero district, for the purpose of inserting a section to appoint commissioners to settle said claim, and apportioning the payment of the same to the different counties of said Mero district. The said amendment was received.

The yeas and nays being called for, those who voted for receiving the section were, Messrs. James Scott, Greer, Lillard, Perkins, Bunch, Rentfro, Russell, Harmon, Kenner, Seahorn, Preston, Porter, John Scott, Tipton and Kennedy.

Those who voted against receiving the section were, Messrs. Nelson, Wynne, Chisholm and White.

House adjourned until Monday morning nine o'clock.

MONDAY, November 4th, 1805.

The house met according to adjournment.

Resolved, that Messrs. Lillard, White and Rentfro be a committee to wait on the governor and inform him that the

Legislature are about to adjourn, and wish to know if he has any further communications to make.

Resolved, that the manuscript procured by doctor William Dickson, containing an account of land entered in the entry takers office in Sullivan and Washington counties, be deposited in the office of the clerk for the district of Hamilton, for safe keeping.

Received from the senate the result of the deliberations of both houses, relative to calling a convention, from which it appears that two thirds of both houses not concurring, that the question for calling a convention was lost.

Received from the senate the report of the committee of finance, on the memorial of Robert Searcy, late treasurer of Mero district, praying that the venire may be charged in a suit brought against him as treasurer, from Hamilton to Mero district. Endorsed "in senate, November 4th, 1805, read and non-concurred with."

Resolved that this house concur with the senate.

A bill authorising the court of Greene county to lay and collect an additional tax, for the purpose of erecting a jail in the town of Greeneville, and county of Greene, was read the third and last time, passed, and ordered to be engrossed.

Mr. Russell from the committee of enrollments returned sundry engrossed bills, which were signed by the speaker and sent to the senate.

The following persons were appointed justices of the peace by the consent of both houses :

Anderson county—Samson David, Robert Dew, Douglas Oliver, Samuel Galbreath, Hutchings Burton and Benjamin C. Parker.

Cocke—Charles T. Porter, William Coleman, John Morgan, Joel Copper and Ezekiel Campbell.

Davisson—Robert C. Foster, Francis Saunders, Itham A. Parter, Peter Douge, Candour M'Fadden, Peter Perkins, Samuel Stramon, junior, Daniel M'Daniel, Hanse Hamilton, and Philip McLean,

Dickson—Michael Dixon, Thomas Simpson, Thomas Butler, William Stone, John Humphries, William Morrison, James Martin, Robert M'Nairy and

Greene—Samuel Caldwell, William Bowyers, Samuel Davis, Joseph Carter, James Guthrie, Joseph M'Culloch, George Crosby and Samuel Dunwoody.

Hawkins—Jesse Dry, Hezekiah Hamlin, David Kincaid, Benoni Caldwell, Jacob Miller and Francis Walzell.

Jackson—Sandwick Hord, James Simpson, Hamilton Montgomery, James Roberts, William Marchbanks, James Draper, Alexander Roberts and John M'Daniel.

Jefferson—William Hill and Benjamin Thornberry.

Knox—Galbreath Barton, William Carter, Robert Armstrong, Benjamin Wheeler and David Maxwell.

Montgomery—Willie Blount, Hugh M'Clure, Harry Small, Thomas Smith, John Blair, Alexander Kearns and Samuel Gattis.

Roane—John M'Ewen, James Gallaher, Thomas I. Vandike, Robert M'Neely, Thomas M'Mullin and William Lampkin.

Grainger—Thomas Henderfon, William Norton, John Duke, James Moore, William Peters and John Cocke.

Rutherford—John Andrews, James M'Knight, Henry Conway, Frederick Barfield, James Kinnard, Robert Bedford, Alexander M'Culloch, Joseph Dixon, Hugh Robertson and Thomas Sappington.

Robertson---

Smith---

Sumner—Samuel P. Black, James Desha, James C. Wilson, Joseph Steel and William Bracken.

Stewart—Thomas French, Hamlin Manly, Joseph Nevill, Charles Polk and William Outlaw.

Williamson—Thomas W. Stockett, Robert M'Lemore, John Weatherspoon, Henry Stone, Burrville Temple, Richard Steel, Samuel Aiken, Ewen Cameron, Charles Bayles, James Hicks, David Shannon and Newton Cannon.

Washington—Joseph Brown, William Cloyd and William Miller of Leesburg.

Wilson—Samuel Barton junior, William Morrison, John Doak, Nathaniel Perry, George Mickie, John Robertson, Arthur Harris, James Hodge, James Cannon, Micajah Verrett, William Doran and Samuel Hogg.

Claiborne—John Owens junior, William Savage, Robert

Glenn, James Doherty, William Robertson, William Rush, Josiah Ramsey, George Spencer & John Webster.

Secrer--Thomas Buckingham, Allen Bryant, William Porter, Andrew Wells, Richard Crowlen, Samuel Wear junior and Thomas Price.

Blount--William Davidson, Jonathan Harris, Robert Thompson, Andrew Cowan and William Gaut.

Carter--Abraham Henry, Joseph Mason, Nathan Hendriks, Benjamin C. Harris, Joseph Sands and William Boyd.

Received from the senate a message concurring with this house in their resolution for calling the assembly, on the report of the agent employed to go to North-Carolina ; also, with the resolution for depositing the manuscript of entries obtained by doctor William Dickson, with the clerk of Hamilton district ; also, for giving the contractors for the public printing one month longer for completing the laws of the present session ; also, concurring with this house in authorising the governor to give Adam Peck three months longer to complete the road leading from South-West-Point and Tellico to Georgia.

Received from the governor a communication notifying the legislature that he had no further communications to make.

Received from the senate a resolution proposing that the printer be directed to furnish each member with twenty captions of the acts of the present session of assembly, which was read and rejected.

Received from the senate a resolution directing John Bright door keeper of the senate, to take into his possession all the tables, seats, ink stands, &c. of the general assembly for safe keeping, which was read and adopted.

Received from the senate a message proposing an amendment to the bill making compensation to Moses Fisk for revising the laws, &c. by striking out the words "as full compensation," in the first section of said bill, the message being read, resolved, that this house do not concur therewith.

Mr. Tipton called up the bill making compensation to the members, clerks, &c. and for other purposes, and moved to strike out the 6th section, allowing the secretary of state at the rate of one hundred dollars per annum in addition to his former salary, it passed in the negative.

The yeas and nays being called for, those who voted for striking out were, Messrs. Russell, Porter and Tipton.

Against, Messrs. James Scott, Greer, Lillard, Perkins, Bunch, Harmon, Seaborn, Markland, Nelson, Wynne, Moore, Chisholm, White and Kennedy.

The bill was then read the third and last time, amended, passed, and ordered to be engrossed.

Resolved unanimously, that the speaker of this house deserves the thanks thereof, for his prompt and diligent attention to the duties of his station.

Received from the senate a message proposing an amendment to the bill making compensation to Moses Fisk, &c. which was concurred with, and Messrs. Perkins and Porter sent to see the same made.

Received from the senate the following resolution, which was read and agreed to :

Whereas it appears from a letter dated Raleigh, the 4th of April 1804, signed William White, addressed to colonel John Overton, and by him laid before this general assembly, for information touching transcribing grants, &c. which heretofore have been issued from the state of North Carolina, for lands lying within the limits of this state :

It is therefore unanimously resolved by this general assembly as the sense thereof, that a decided preference ought to be given the honorable William White, secretary of the state of North Carolina, to transcribe the grants, &c. which this state may require : Provided the agent to wit, John Williams, esq. can enter into such agreement with the said William White, esquire, as the present state of the public revenue will justify : And provided also, that the application made by this legislature to the legislature of the state of North Carolina, relative to repealing, &c. be agreed to.

Resolved, that a copy of the letter above alluded to, be annexed to this resolution.

Ordered, that a message go to inform the senate that this house are ready to adjourn without day, which was sent accordingly.

Sundry engrossed bills were signed by the speaker and sent to the senate.

Received from the senate the following message :

Mr. Speaker and Gentlemen,

This house concur with you in adjourning without day..

Whereupon, resolved, that this house adjourn without day.

ROBERT C. FOSTER, *Speaker*
of the House of Representatives.

ATTEST,

EDWARD SCOTT, *Clerk*
of the House of Representatives.

AN Estimate of the pay of the Members, Clerks and Door-Keepers, &c. of the First Session of the Sixth General Assembly of the State of Tennessee, beginning on the sixteenth day of September, and continuing in Session fifty days.

- NOTE.** This Estimate is made allowing to each
 " Member two dollars and fifty cents for each
 " day, and the like sum for every twenty-five
 " miles travelling to and from the legislature.
 " To each principal and assistant clerk, the sum of
 " four dollars and fifty cents per day; and to
 " each door keeper the sum of two dollars and
 " fifty cents per day."

NAMES.	No. of Miles.	Dollars.	Cents.
John Gals,	150	140	
Robert Houston,		125	
James King,	244	149	40
John F. Jack,	66	131	60
Edward Douglass,	400	165	
George Doherty,	56	130	60
Leeroy Taylor,	192	144	20
Joseph M. Minn,	150	140	
John Wilkinson,	30	128	
Abram Maury,	450	170	
Sampson Williams,	260	151	
Duncan Stewart,	520	177	
Alexander Greer,	240	149	
John Kennedy,	200	145	
Edmund Bean,	212	146	20
John Tipton,	240	149	
John Scott,	230	148	
Rhodham Kenner,	132	136	20
John Harmon,	150	140	
John Russell,	150	140	
William L. Hard,	120	137	

NAMES.	No. of Miles.	Dollars	Cents.
James P. H. Porter,	50	130	
James Scott,	48	129	80
John Seaborn,	74	132	40
John Bunch,	64	131	40
James Rentfro,	100	135	
Nathan B. Markland,	32	128	20
George Preston,	60	131	
Elijah Chisholm,	240	149	
John K. Wynne,	270	162	
William Moore,	400	165	
Chapman White,	450	170	
Nicholas T. Perkins,	450	170	
Robert Nelson,	510	176	
Robert C. Foster,	420	167	
Anderlon Cheatham, eight days, and	130	33	
John N. Gamble, chief clerk of the Senate,		225	
The same for Stationary,		61	52
Edward Scott, chief clerk of the H. of Representatives,		225	
The same for Stationary,		85	
Luke Lea, assistant clerk in the Senate,		225	
Andrew M. Lusk, assistant clk. to the H. Representatives,		225	
John Bright, door keeper to the Senate,		125	
The same for fuel, &c.		13	75
John Rhea, door keeper to the H. of Representatives,		125	
The same for tables, &c.		10	96

Dolls. 6475 23

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